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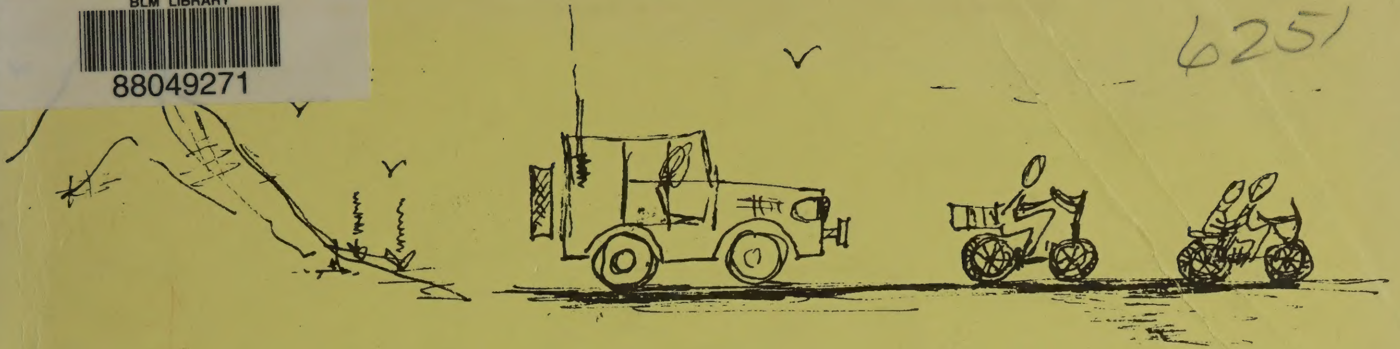

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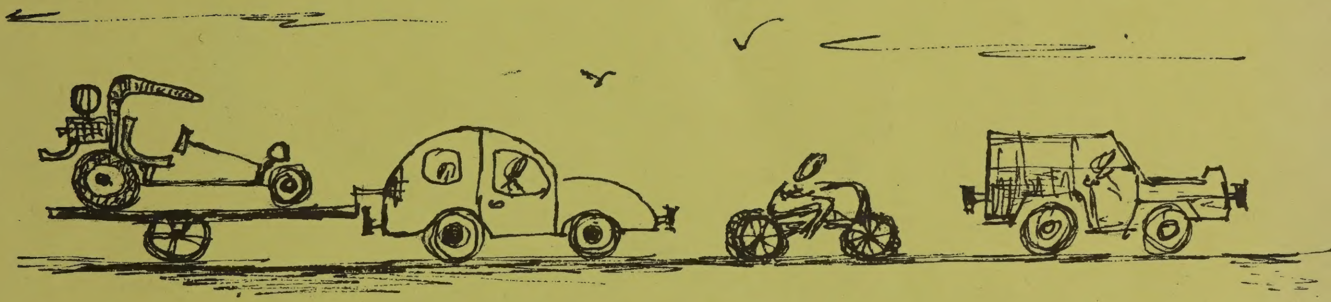
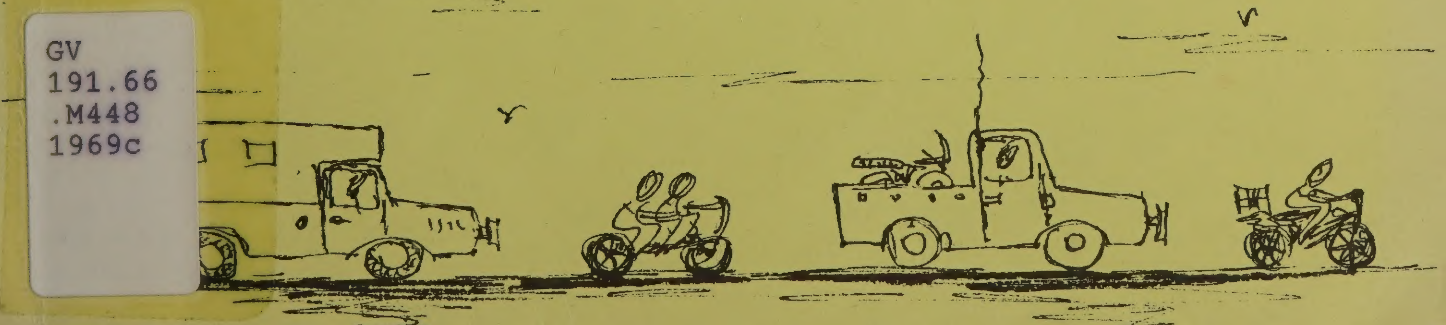


MEETING #3

Minutes of the California
OFF-ROAD VEHICLE ADVISORY COUNCIL
bureau of land management
u.s. department of the interior



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OFF-ROAD VEHICLE ADVISORY COUNCIL
to the
BUREAU OF LAND MANAGEMENT

MEETING

December 3, 1969 - Sacramento

PROCEEDINGS

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OFF-ROAD VEHICLE ADVISORY COUNCIL
Meeting - December 3, 1969 - Sacramento

AGENDA OUTLINE

Wednesday, December 3

9:30 a.m.	Opening Welcome & Introductions	Co-Chairman Howard Harris Co-Chairman J. R. Penny
	Council Administration Minutes Other Business	Co-Chairman Howard Harris
	Sub-Committee Reports Finance & Legislation	Ron Sloan Ken Clarke
	Education, Information, Coordination & Cooperation	Alfred Kramm
	Enforcement & Related Management	H. F. McMurphy
	Panoche Progress Report	Delmar Vail
	LUNCH	
	Review of ORVAC Member Statements	Donald G. Halsey
	Proposed Directives for ORV Management	William G. Leavell Donald G. Halsey
	Proposed Procedures for Sports Events, Races and Rallies	Del Price Craig Tocher
	Where do we go from here	Co-Chairman Howard Harris
4:00 p.m.	Adjourn	

OFF-ROAD VEHICLE ADVISORY COUNCIL

MEMBER	REPRESENTATION	ADDRESS & PHONE NO.
Thomas P. Bates	Dune Buggy Group	Parkhurst Publishing Co. 745 W. Third Street Long Beach, Calif. 90812 213-436-3241
Lawrence Cloyd	Calif. Dept. of Fish & Game	1416 Ninth Street Sacto., Calif. 95814 916-445-9880
Beula Edmiston	Desert Protective Council	5502 Markland Drive Los Angeles, Calif. 90022 213-723-2924
Jack L. Edwards	Calif. Assn. of 4 Wheel Drive Clubs	4405 Pioneer Drive Bakersfield, Calif. 93306 805-366-6946
Howard Harris	Calif. Farm Bureau	7800 Cienega Road Hollister, Calif. 95023 408-637-2643
E. Lamar Johnston	Calif. Cattlemen's Assn.	Box 263 New Cuyama, Calif. 93254 805-766-2266
Dan Kelsay	Enforcement agencies	P.O. Box 858 Modesto, Calif. 95353 209-524-1251 Ex. 421
Alfred H. Kramm	Calif. Outdoor Recreation League	5190 East 28th Street Long Beach, Calif. 90815 213-HA12110
H. F. McMurphy	North Bay Trail Riders	129 Alameda Street Vallejo, Calif. 94590 707-642-9395
Roger K. Mitchell	Sierra Club	1451 Lazy A Drive Bishop, Calif. 93514 714-873-3512
J. R. Penny	Bureau of Land Management	2800 Cottage Way, Rm. E-2841 Sacto., Calif. 95825 916-481-6100 Ex. 2676 or Ex. 2701 (Div. RPM)
Al Schiavon	Calif. Wildlife Federation	3936 E. Turner Avenue Fresno, Calif. 93702 209-266-1087

MEMBER	REPRESENTATION	ADDRESS & PHONE NO.
Ron Sloan	American Motorcycle Assn.	4725 Burgandy Road Woodland Hills, Calif. 91364 213-889-1000
George S. Strauch	Calif. Federation of Mineralogical Societies	20269 Yeandle Avenue Castro Valley, Calif. 94546 415-557-0244
Ray Talbot	Calif. Woolgrowers Association	1232 Talbot Street Los Banos, Calif. 93635 209-826-3725

ATTENDANCE

Off-Road Vehicle Advisory Council:

Thomas P. Bates
Lawrence Cloyd
Beula Edmiston
Jack L. Edwards
Howard Harris
E. Lamar Johnston
Alfred H. Kramm
H.F. McMurphy
Roger K. Mitchell
Al Schiavon
Ron Sloan
George S. Strauch
Dan Kelsay (absent)
Ray Talbot (absent)

Bureau of Land Management:

State Office

J. R. Penny
William G. Leavell
Donald G. Halsey
Arlen C. Tocher
Richard Gormley
Ed Frandsen

Service Centers

Del Price, Denver
John Peavy, Portland

District Offices

Robert J. Springer, Bakersfield
Rex Morgan, Susanville
Richard L. Thompson, Redding
Delmar Vail, Folsom
John Lanz, Ukiah
Jack F. Wilson, Riverside

Guests:

Kendall Clarke, Regional Solicitor's Office
Robert Jones, Bureau of Land Management, Washington, D.C.
Richard Barber, Bureau of Land Management, State Office, Reno, Nevada
Mrs. Jack L. Edwards
Dave Symonds, guest of Ron Sloan

OFF-ROAD VEHICLE ADVISORY COUNCIL

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OFF-ROAD VEHICLE ADVISORY COUNCIL

to the

BUREAU OF LAND MANAGEMENT

3rd MEETING

December 3, 1969

Sacramento, California

PROCEEDINGS

WELCOME AND INTRODUCTIONS

HOWARD HARRIS
Co-Chairman

and

J. R. PENNY
State Director & Co-Chairman

Howard Harris: Good morning. We have the majority of our Council here. Ron Sloan, will you introduce your guest?

Ron Sloan: This is Dave Symonds from Moorpark College, and he is doing a paper for school work.

Howard Harris: Fine. Maybe the Bureau should be allowed to read it and make use of it in their final report. Any other member of the Council have an introduction? Russ, you have some introductions that you would like to make?

J.R. Penny: Yes. I think most of you have met Del Price from the Denver Service Center. You will be hearing from him later on this morning. Richard Barber is the Bureau of Land Management Recreation Specialist from Nevada.

MINUTES AND OTHER BUSINESS

HOWARD HARRIS
Co-Chairman

Howard Harris: Under council administration, we will cover what has happened since the last meeting. We have had our sub-committee meetings, which will be reported on today. The vice-chairman and the chairman met with Russ Penny and staff on the 24th of November to work out this agenda. Congressman Baring has a draft bill regarding enforcement which we will pass out for consideration today.

As far as the minutes of the August 13th meeting are concerned, are there any additions or corrections?

Al Schiavon: I think they are fine and move for their approval.

H.F. McMurphy: Second. (Motion carried to accept the minutes as prepared).

J.R. Penny: I just received a call from Ray Talbot. He has been appointed to serve on the jury, so he can't be here.

SUB-COMMITTEE REPORTS

Howard Harris: Ron Sloan, will you give the report for the sub-committee on Finance and Legislation?

SUB-COMMITTEE REPORT ON FINANCE AND LEGISLATION

(Sub-committee report is enclosed as Enclosure #1)

Ron Sloan: The report to council members did not come out in the mail and is enclosed in your folder. We met on September 15 in Fresno and had full sub-committee in attendance. The following recommendations were reached:

1. REGISTRATION

   A. AFTER DISCUSSION IT WAS GENERALLY AGREED THAT A REGISTRATION PROGRAM SHOULD BE INSTITUTED FOR ALL POWERED OFF-ROAD VEHICLES.

      REGISTRATION WOULD PROVIDE THE VEHICLE FOR COMMUNICATION, EDUCATION AND ENFORCEMENT OF OFF-ROAD VEHICLE USERS.

B. REGISTRATION SHOULD NOT BE REVENUE PRODUCING. KEN CLARKE WILL PRESENT INFORMATION CONCERNING THE POSSIBILITIES OF REGISTERING OFF-ROAD VEHICLES AT THE DECEMBER 3 MEETING OF THE ENTIRE ORVAC.

2. FUNDING OF PROGRAM

A. USERS FEES

(1) THE SUB-COMMITTEE WAS GENERALLY AGAINST ESTABLISHING USER FEES FOR OFF-ROAD VEHICLES - THAT IF USER FEES WERE TO BE ESTABLISHED THAT THEY SHOULD APPLY TO ALL USERS OF THE PUBLIC LANDS.

(2) CONGRESSIONAL FUNDING

THE SUB-COMMITTEE WAS GENERALLY IN FAVOR OF CONGRESSIONAL FUNDING.

(a) LEGISLATION SHOULD BE INSTITUTED TO PROVIDE FEDERAL FUNDS.

(b) BUDGET ESTIMATES SHOULD BE CLEARLY DEFINED AND A TIME TABLE ESTABLISHED FOR EXPENDITURES.

3. RULES AND REGULATIONS

A. COMMITTEE MEMBERS WILL REVIEW INDIVIDUALLY AND REPORT AT THE DECEMBER 3 MEETING ON THE DEPARTMENT OF INTERIOR'S RECREATION RULES AND REGULATIONS AS THEY PERTAIN TO PUBLIC LANDS.

4. LEGISLATION

A. SUB-COMMITTEE GENERALLY ENDORSED A PROPOSAL THAT LEGISLATION BE ENACTED TO PROVIDE EXPEDITIOUS ENFORCEMENT OF RECREATION RULES AND REGULATIONS.

(1) THE BLM SHOULD DEVELOP THEIR ENFORCEMENT PROCEDURES SIMILAR TO THE U.S. FOREST SERVICE.

Howard Harris: Ron, would you like to enlarge on what you mean by registration program. Why should these vehicles be registered - what was in back of it?

Ron Sloan: Well, it is tied in very closely to enforcement. When someone is doing something they shouldn't do on public land, it is very difficult to identify that individual.

Howard Harris: Then identification is one of the purposes of this registration, and I assume that along with this registration, would come a number that you won't have to have a microscope to see. If someone saw this numbered vehicle then he could identify a violator.

Ron Sloan: Well, it is a point to agree with. As you know, I was not in full agreement with this particular phase - from a competition standpoint. All the competitive riders are already numbered, and have a fully legible number on their machine. A license plate or some other item which would protrude from the machine could be an unsafe hazard in competition. However, in regards to registration, one of the main points is that it creates a means of getting in touch with all off-the-road vehicle users, either by letter or some form of communication. We have not arrived at a conclusion on the actual method to be used.

Roger Mitchell: Wouldn't a license plate accomplish the same thing?

Ron Sloan. No, because you could not get a license plate for a majority of the machines that are in competition.

Howard Harris: I would suspect that what the committee meant was some kind of a sticker with numbers, or a letter, or both, so somebody could identify the vehicle with the owner.

Ron Sloan: Personally, I wasn't so much interested in identifying each vehicle as I was in identifying the individual that had the vehicle.

Howard Harris: Now you mention the motorboat and snow mobiles - how do you want to handle it?

Ron Sloan: There is a registration similar to the automobile for the motorboat and the snow mobile. A little blue decal is put on these. I don't know what size it is, but on a motorcycle or a dune buggy, I doubt if anyone would see the blue tag, if they wanted to get away.

Howard Harris: Ken Clarke, do you have any comments on how this might work? Would it have to be a Federal law? State law?

Ken Clarke: The committee could look into ways in which the problem could be handled. This is a nationwide problem, like it was with boating. Insofar as boating legislation was concerned, a Federal Act was passed which required the boat to be numbered. It provided boats could be numbered through a state system, or failing to have a state system, it would be numbered thru the Federal system. This encouraged the states which had lots of water use to take care of the numbering situation.

You will note from the handouts that California now has passed legislation which requires the numbering of snow mobiles. This would probably be the type of legislation which might provide what the committee indicated was needed in setting up identification for the off-road vehicle. The California legislation for snow mobiles simply requires that before you operate a snowmobile on any highway or public or private property, an application be made for an identification tag. Another section of the legislation requires that the snow mobile will display the tag. It is so new we don't know what this identification tag looks like, or how big it is. I presume it will be large enough that the law enforcement personnel may make identification. It seems to me that having a Federal law similar to boating which permits either registration by the Federal government or registration through the State would be the best way to solve a similar off-road vehicle problem which may not now be a nationwide problem, but will be a nationwide problem in the future.

J.R. Penny: With regard to motorcycles, should all vehicles be licensed whether they are on marked highways or not? As I understand now, motorcycles are not required to be licensed if they are not operating on marked thoroughfares.

Ron Sloan: You should have a registration, always, only the licensing is not necessary. One of the problems even when licensing a boat (just putting a number on the boat is registering it) is that there is a certain amount of safety equipment that has to go with that boat. This is a problem when you get into registration, the registration is used as a means of identification. From the motorcycle standpoint, to gain the proper licensing now, you'd have to take it to the Department of Motor Vehicles, and have it equipped with operating bright lights, dim lights, turn indicators and rear view mirror; things which are a complete hazard to have on the vehicle.

Howard Harris: As I recall, the committee was after a means of identification of the vehicle with the owner.

Ken Clarke: Yes, the conflict within the committee was the licensing of all vehicles. I think the snow mobile legislation of the State of California does not require any turn signals or other devices on the piece of equipment. It is simply an identification plate on the machine. It apparently is not a revenue-producing act either because there appears to be only a single registration fee of only $5.00 and no annual charges.

Howard Harris: Ron, then I think your position regarding motorcycles would be that you would consider the snow mobile identification, like that on a boat.

Ron Sloan: Oh, yes, very definitely. The biggest concern was that the individual would know what he is doing.

Howard Harris: How would something like this effect your 4-Wheel Drive group, Jack? Do you see any hardship in identification by registration?

Jack Edwards: I understand that at the meets held at the Oceana Sand Dunes all of the vehicles that registered for competition were licensed with the exceptions of three, which were all out competition. The machines are registered for travel.

Howard Harris: Then it wouldn't impose a hardship?

Jack Edwards: Hardship! The only thing - I can't see any justifiable purpose for it.

Howard Harris: Well, your machines are already identifiable - but what about the motorcycles?

Jack Edwards: That is what I say. As far as our group is concerned, I can't see a reason for it.

Howard Harris: Mac, as far as your group of cycles.

H.F. McMurphy: We have a lot of machines in our group that work both ways. Some of the boys have enduro types of machines that have no licensing. Others have licenses. I can't see why the ones that are licensed should have an identification; they already have one. But the ones that are not street licensed could have an identification of some description.

Ron Sloan: I agree with Jack that there would be a duplication. The problem is in identifying the individual with the equipment. It is also for education and for communication with the off-road user on public lands. At the moment if I had a jeep or motorcycle with a license plate, I could run all over public lands and have no idea what's going on from a communications standpoint. It does create a vehicle to get in touch with all these people.

George Strauch: I have had some communication from one of our mineral clubs; a group of people who had trouble with some motorcyclists while camping in the Clear Creek Area. The motorcyclists resented them being there and they raced through the camp at night and made a lot of noise until all hours. One lady talked to one of the fellows. He seemed to be a pretty nice kid and he said they had been kicked out of about every place else. Our people had no way of knowing who they were, and I think there should be some registration, so you could communicate with them and find out who they are.

Howard Harris: That's right, now a case in point is the Panoche Area. I was talking to a couple of boys who were trying to enforce some of the management procedures in Panoche and their comment was this. They spotted three fellows out of bounds down there and one of them had a yellow shirt, one had a blue, one a red, so they watched down at the gate, and when the fellows came out the gate they didn't have those shirts on, so it is a matter of education.

Howard Harris: Tom, before you came in we had a discussion on identification of off-road vehicles. We were just asking how it would effect the various groups. What would be the feeling of your dune buggy group if it was a requirement that all vehicles be identified one way or another by having a number on them, such as in the identification on snow mobiles, or how they identify boats. However, as Ron pointed out, if they do it like they do with boats and motor vehicles it involves a matter of stop lights and a lot of equipment you don't need when you get out in the dunes. Now, suppose that there were identification numbers required for off-road vehicles, what would you think about it?

Tom Bates: What is the purpose?

Howard Harris: To identify violators for one thing, to provide communication for the Bureau and other people who want to contact them on educational programs or other things. This came out of the committee on Finance and Legislation. Do you want to enlarge on this, Ron?

Ron Sloan: Basically, Tom, it is not so much a license plate but some type of identification. Using an example of competition versus the trail rider. There are many out using the public land but there is no way to communicate with them. If the user was registered or his vehicle, from a mailing list or whatever, you could identify by a little number or, whatever it is, and take proper action.

Tom Bates: These are all good ideas, but certain types of off-road vehicles, especially motorcycles don't particularly lend themselves to having a legible number put on them. I can see no objection, but it is purely a mechanical problem rather than the idea of the thing. I can see no direct objection to the idea.

J.R. Penny: Do you have all dune buggies licensed?

Tom Bates: No. Many of them are trailered or towed to off-road areas;because of this they are not technically touching the ground and they do not have to be registered, and they don't have to be street legal. The majority of dune buggies are street legal. We are concerned with the off-road aspect and the ones that are not street legal and therefore not registered.

Jack Edwards: How many snow mobiles will come into the registration?

Ken Clarke: I have no idea of the number of snow mobiles.

Jack Edwards: Would you say 5,000 or in excess of 5,000? I was wondering what mechanics or the personnel it would require to staff a program such as this registration. It would require quite a staff.

Howard Harris: It would be a burden on the owner.

Jack Edwards: You are talking about a very small group, the snow mobile. In 4-Wheel Drive we are talking about half a million alone.

Howard Harris: You say most of them are registered, so you wouldn't be concerned.

For those who just came in we are discussing the point Ron Sloan's committee made, there ought to be some way of identifying off-road vehicles that not necessarily be a revenue producing feature, but would be some way of identifying so if somebody was trying to enforce a rule or regulation or law, he knows who is there.

Tom Bates: On the snow mobile question, they are well in excess of 5,000. We have been investigating the likelihood of developing a snow mobile magazine so we have some information on them.

Howard Harris: Now, is there anything else on registration? I would think then that it is the consensus of this group that some type of identification is probably agreeable if a system can be worked out administratively to make it feasible.

J.R. Penny: Does that mean State legislation is necessary?

Howard Harris: I think we might want to be flexible on that, certainly as Ken Clarke pointed out the Federal law which requires states to do something might be the answer, on the other hand you might not get any State action, so I think you could just be flexible on that and not tie the hands of anybody.

Jack Edwards: How did you state the feeling of the council?

Howard Harris: I would say that the council in general is agreeable that there should be some way of identifying off-road vehicles.

Jack Edwards: Well, I would like it on record that the 4-Wheel Drive group is opposed to it. I would like to put it this way, in one sense we are kind of jumping the gun here, we are picking on one vehicle and one vehicle alone. This is picking on unlicensed vehicles and not the one that is traveling on off-road. I'm trying to point out we have a truck, a jeep, a number of different ones that are traveling out there. The motorcycle is going to have to have a number on it, an identification number, but this is not saying that all off-road vehicles have to have an identification number. I mean ones that are designed for off-road. We are putting the finger on just one vehicle alone.

Howard Harris: I didn't understand that we are putting the finger on one vehicle alone.

Jack Edwards: The one we are putting the finger on is the unlicensed motorcycle or dune buggy.

Howard Harris: That isn't clear to me. Ron, do you want to clarify it?

Ron Sloan: The point being made now is that this is a duplication, but registration would be effective on all off-road vehicle users on public land. Another point is that Russ's Department could get to these people and communicate with them. Just because you have a state motor vehicle license on your vehicle does not provide the means for you to get in touch with them. It is the matter of the user of off-road vehicles being registered. The mechanics have to be worked out but it is to assure that if you have 10 million people out there, you can reach them by telephone, card, or other means.

Lamar Johnston: I don't think it was the intent of the committee to pick on any one particular vehicle - we are going to have identification on all of them, regardless of what they are or where they are.

Howard Harris: That is right.

H.F. McMurphy: In other words, we are speaking of identification of the user, regardless.

Ron Sloan: Basically, yes.

H.F. McMurphy: We are not saying we are going to come out with motorcycles or the dune buggy; this could be an automobile, it would be right down to the user.

J.R. Penny: In connection with that though, what if the individual has say 7 types of vehicles?

H.F. McMurphy: Then according to this there is going to be 7 stamps.

Ron Sloan: Well, it might be the same number or stamp. My original point was that I would prefer to be registered myself and know the code of ethics. The other item that comes up is this matter of trespassing or doing something on Lamar's private land. He wants to be able to look at the individual responsible and tell who he is. He can't see in his wallet and see his Golden Eagle card, so it is a matter of identification along with it. I don't want to register all 5 of my bikes.

Howard Harris: He doesn't mind having a number on his bike connecting him with the ownership.

H.F. McMurphy: I don't mind registering all my bikes, if I'm going to register all my vehicles for this purpose. It seems this is going to be registration of all off-road vehicles, that are used off-road. This I'm not against, but if it is going to be a registration for just 2 types of vehicles, I'm against it. I want all to be registered.

Howard Harris: That is what the committee has in mind. We want to identify all vehicles that are out there, some way or another.

Lawrence Cloyd: Would you have to have an identification on the vehicle in addition to a Motor Vehicle license?

Ron Sloan: It would be a decal or something that would identify the machine with me. If I'm in violation, you could identify my number or whatever it might be.

Lawrence Cloyd: So what you are talking about is an identification number for off-road vehicles, that is power vehicles, that are not now identified.

Ron Sloan: It means even the ones that are identified. If you have a 4-wheel drive or dune buggy and you drive it back or forth on the highway, and have your license number, yes, you need identification when you go on public land and you are chasing around. This is one thing that Russ can send a letter to all of these registered off-road vehicle users and get in touch. It doesn't mean because you have a license plate that you can go on public land.

Howard Harris: It seems to me though, that if you have already paid for a license plate you are identified and that you might very well do this. You know this little hole in the card that they punch in case you want your address changed, you might have another hole which says in order to comply with the law requiring identification for off-road vehicles, if you'll punch out this hole you'll qualify. Then you wouldn't have to go into an additional registration program. Then you have a choice, either registering for highways, punching the hole out, or if you don't have it registered for highway use, then you would have to do something else.

Tom Bates: We just came back from a 4 day tour in Mexico, down in Baja. There were 21 vehicles ranging from dune buggies and pick-up trucks to jeeps. One of the gentlemen had owned his car for a couple of years and he had never been off the pavement. He never even realized that such a thing existed until this magazine ran an article on this tour and he though it might be fun to try. So he went off the road for the first time in his life and he thoroughly enjoyed it. I rather doubt he will go off the road again until our next tour and it might not be for another year, therefore this gentleman is suddenly exposed to off-road use and has no time to get a registration number. He is not really aware of the fact that he should have this number on and likely that he won't use this number again until next year. Now, how do we get thru to these people and situation? This is part of my committee's problem on Information and Education.

Howard Harris: I would suspect that it is just like you are required to have a license to hunt, say elephants, so you decide to go out and hunt elephants one day and you forgot to get a license. Well, usually Larry Cloyd doesn't find them and it is not the problem, but of course they catch up with most of them, so this is the same administration problem that we just have to face.

Lawrence Cloyd: The only thing I would question is the requiring of an identification, perhaps on the back of a camper, that already has a license number on the back of it; if you want to find out who that vehicle belongs you just take the license.

Howard Harris: That is correct.

Lawrence Cloyd: I don't see why you would need another identification on a vehicle that was already identified in some way.

Howard Harris: Perhaps I didn't make myself clear. I'm saying that if a vehicle is already licensed, it doesn't require any additional identification, by punching this little hole out in the card - but to be clear it doesn't cost you anything. Any other comments?

J.R. Penny: I think if I understood Ron's point of view, it had also to do with giving information out to people using the public land.

Ron Sloan: The best way would be to tattoo it on your forehead. I personally, with 5 vehicles, do not want 5 separate numbers. It is the individual I'm trying to get to - just as the length of this conversation now, the mechanics are very different.

Howard Harris: That's right, the mechanics, the administration, will cause some problems. The idea is there that identification of people using the land with off-road vehicles is necessary so the regulations can be enforced.

This next item is funding. We actually have some figures before us in dollars. Do you want to go into that?

Ron Sloan: Oh, I don't think those dollars are anything we can hang our hat on.

Howard Harris: All of us assumed that they are certainly minimal and didn't include big items like surveying, things that have to be done. I think the committee was unanimous that a management program had to be funded. It is just about that simple. The funding was a must; the committee was certainly unanimous on that.

On the rules and regulations, do you have any comments on that, Ron?

Ron Sloan: Rules and regulations, no, I don't. Even though it falls in the area of our committee, Finance and Legislation, it is a matter the full committee should be involved. This item of rules and regulations should be open to the full committee.

Howard Harris: Do you have a personal opinion about them you would like to express? You made a statement that we ought to throw them out and start all over. I think Mrs. Edmiston made a good point when she said "Now, Ron, if you started all over you might not get them as good as you have them now."

Ron Sloan: This is true. We have spent a lot of time. Russ has spent a lot of time and the staff has spent a lot of time in planning and programming.

With regards to the rules and regulations, I feel that you don't create the law before you create the plan. That boils it down to a nutshell. The rules and regulations as they now exist are not all that bad. If we start reading back and forth from a plan to the rules and regulations we get into speed controls and things of that nature. If they are not compatible, better give up.

Howard Harris: Suppose, you do this when we discuss our management criteria and agree on that, then we'll take a look and see eventually if the rules and regulations don't fit them.

Ron Sloan: I feel like in Beula's case for instance, if Beula went thru the rules and regulations she should address herself to the areas that she usually involves herself, with the campground or outlying areas, but I doubt if Beula has ever seen a competitive event.

Beula Edmiston: But I have.

Howard Harris: Talking about my own personal views on the rules and regulations, as they exist they are not too bad. We can live with them. We ought to try to manage. My philosophy is this; a law or regulation can be bad by poor administration and it can be good by good administration, so really this is the key.

Ron Sloan: When we get into the management procedures, I think that Russ has taken this into consideration and the administration and the stipulations are somewhat liberal. They are not taking the rules and regulations to the strict letter.

Howard Harris: George did you want to make a comment.

George Strauch: The question I had a while ago is in regard to rules and regulations, and I want to ask Russ a question. I'll read a paragraph here first. It is under Regulations on Visitor Management, 6261.0-6 - Compliance - Rules for public use and occupancy of developed recreation sites and other locations where the Bureau has installed outdoor recreation facilities, will be posted in conspicuous locations. Failure to comply with rules, so posted, may result in denial of the use of developed recreational sites and facilities and such other pertinent further action as may be required. Now, what I'd like to know, Russ, have these rules for use of these facilities been posted in the campground? I refer specifically to Clear Creek where we had a problem.

Howard Harris: There is no developed campground there. The announcement was made that they are going to eventually make a campground there. There were public hearings before the Public Land Use Committee in our County and the motorcyclist and everybody was there and discussed this. General understanding was given that this would be developed someday.

J.R. Penny: You want to know whether we are doing this type of thing?

George Strauch: In this specific instance there were 43 of our people from one club camping there and also some motorcyclists camping. I have never been there, and I don't know whether it is developed or not. All I know is that they were camping on BLM land and there are some problems there.

Howard Harris: It is undeveloped, though, and there is a conflict and this is why we need management.

George Strauch: If it is undeveloped then this rule doesn't hold. All I want to know is it true that people are trying to claim rights that they don't have.

Del Vail: We post developed campgrounds with the rules and regulations regarding the conditions of use. Undeveloped sites are sometimes provided with litter cans, but generally are not posted for use. We do not encourage use at undeveloped sites, since we cannot maintain these sites.

Howard Harris: The Clear Creek is a generally used area by the public and has been for years, but undeveloped.

George Strauch: You should have a list of campsites or recreation areas. I suggest that BLM give some consideration to making that a developed recreation site, because a great deal of our people go there to look for jade.

Howard Harris: It is planned, if the money comes up.

Ron Sloan: I have been reading about your group, George. If you get into a user fee program this area will get opened for the basic facilities. You can't charge unless you have campsites, trailer sites, toilets. There are certain yardsticks.

Howard Harris: Now, on legislation, from the sub-committee. I have here a copy of some draft legislation being considered by Congressman Baring for introduction regarding enforcement for the Bureau. I plan to be in Washington for a week, and can discuss it there. This gives the Bureau enforcement similar to the Forest Service.

Ken Clarke: This would provide similar authority to the BLM. When we talked about posting rules and regulations in a campground, that is all very fine, you can quote the rules and it says there you can deny them the use, and so on. But, even if we do, we haven't been able to enforce those rules and regulations. If you post them, some people will abide by them, but I guess those are the people that always abide by them. We don't have anything that we can use to enforce those rules and this would be the vehicle which would make the violation of those rules a petty offense and punishable by U.S. Commissioner or Magistrate.

Howard Harris: Ron, would you like to comment for the sub-committee on this; is this the type of enforcement felt necessary?

Ron Sloan: Yes. The rules and regulations indicate a fine or penalty but do not provide enforcement. The State Multiple Use Advisory Board has already recommended that enforcement be provided the Bureau. The language in this draft appears to do it.

Beula Edmiston: Mr. Chairman, may I have a clarification. I have a picture of the Magistrate, but may I have a definition of the Magistrate.

Howard Harris: Would you comment, Ken?

Ken Clarke: The Magistrate is a new definition for the U.S. Commissioner. The law that provided for a Magistrate went into effect about a year or two ago but permitted the Justice Department to have a period of time to make the conversion. I'm not even sure at this date that they have been so designated. It requires certain requirements; all of them had to be attorneys, it increased their salaries, it made them full time and they were not dependent on fees and that sort of thing.

Beula Edmiston: It also gave them a status and it does not necessarily increase a big back log in the courts and it allows a more speedy bringing to justice.

Ken Clarke: Yes. It is like a Federal Justice of the Peace.

Howard Harris: Actually what it amounts to is the BLM can sign a complaint of violation with a Commissioner, and as I understand it, the marshal can apprehend the individual, if needed. And if a few examples are made, as for instance, down at Panoche, then maybe things would clear up.

J.R. Penny: I think the Council has quite an opportunity to tell the problems facing us. With your Chairman being back in Washington next week, he can provide the Congressman with the background of the problem.

Howard Harris: I would like to get a consensus.

Ron Sloan: I would like to make a motion that we address ourselves to Ken Clarke and ask him to assist us, preparing a resolution to be endorsed by us and taken back to Washington.

Beula Edmiston: I second.

Jack Edwards: I have a question. It says here the public land laws and regulations of the Secretary of the Interior - does this pertain to the ones being published in the Federal Register?

Howard Harris: Certainly, or any new ones. Any other discussion? Those in favor say aye; those opposed say no. Motion carried. Ken will you help? (The Resolution, as prepared was discussed in the afternoon on Page and is enclosed as Enclosure #4.

SUB-COMMITTEE REPORT ON
EDUCATION, INFORMATION, COOPERATION, COORDINATION
(Sub-committee report is enclosed as Enclosure #2)

Howard Harris: We are sorry you missed some of the preliminaries but I think the important things you have heard, Al.

Al Kramm: I was on the committee of Education, Information, Cooperation and Coordination. We had a meeting and I think we were well pleased with what came out of it. I have a confession to make. In the typing of the final report, Item 5 was omitted. We have 2 typings, one went on ditto and one went up to the Bureau. The Bureau's copy for distribution didn't have Item 5, so I have brought Page 1 and will distribute 15 of these. That will replace the page you have. Item 5 is the only other change; the part that was omitted.

The committee met at Tom Bates place. Jim Ruch had another appointment and was unable to attend. We were sorry he wasn't there. We spent a considerable amount of time in discussing objectives with reference to Information, Cooperation, Coordination and Education. What are we going to try to do - who are we going to try to educate - what are we going to try to educate, etc. So we came forth with a set of objectives.

STATEMENT OF OBJECTIVES:

A. LONG RANGE NATIONAL GOALS NEED TO BE DETERMINED. IT IS POSSIBLE THAT THIS MAY BE ACHIEVED, AT LEAST IN PART, AS A RESULT OF THE EFFORTS OF THE PUBLIC LAND LAW REVIEW COMMISSION.

B. THERE NEEDS TO BE A BASIC UNDERSTANDING OF ECOLOGICAL AND ENVIRONMENTAL PRINCIPLES.

C. THERE NEEDS TO BE A BETTER UNDERSTANDING AND APPRECIATION OF THE NEEDS AND REQUIREMENTS OF THOSE SEGMENTS OF SOCIETY WHO USE OR DEPEND UPON THE PUBLIC LANDS FOR ITS RESOURCE VALUES.

D. THOSE WHO USE THE LAND NEED TO UNDERSTAND THE RESPONSIBILITY THEY HAVE TO THEMSELVES, TO OTHERS AND TO THE LAND ITSELF.

E. THE LAND SUPPORTS THE NEEDS OF OUR SOCIETY. OUR IMMEDIATE NEEDS AND CONSUMPTIVE WANTS MUST BE SUBORDINATE TO THE LAND ITSELF IF ITS QUALITY IS TO BE MAINTAINED FOR THE FUTURE.

Al Kramm: We didn't attempt to define any national goals. Our assumption was that these national goals would be achieved and that we would at some point have something to say about it individually. But we thought that national goals need to be determined and it is possible that some of these might be determined as a part of the efforts of the Public Land Law Review Commission. The second item was that there needs to be a basic understanding of ecological and environmental principles. We thought that the general public and even experts didn't always realize this phase of our ecological environmental problems. There needs to be a better understanding and appreciation of the needs and requirements of those segments of society who use or depend upon the public lands for its resource values. In other words we have a lot of users but do we all understand why they are there, and how, and what is the importance of them being there. Do we understand this among ourselves? We are prone to criticize very often but we criticize some times without understanding, so we thought there should be more understanding and appreciation. Those who use the land need to understand the responsibility that they have to themselves, to others and to the land itself. Again, it is an educational matter to educate people who use the land that it is their land, and they have to protect within the framework of whatever is set up as the goal. Finally, the land supports the need of our society. Our immediate needs and consumptive wants must be subordinate to the land itself if its quality is to be maintained for the future. And we ended up by "Use it, but don't abuse it, or you'll lose it." This is a little catchy phrase and we owe that to Tom Bates. Personally, I feel, and I think that all of our committee felt that this was to the point, describes what we are really trying to get at, in just a very, very few simple words, very concise,and we felt proud of the fact that we were able to put it in. So this was the objective, we thought. With this objective as a framework, we then discussed recommendations as to the job we had on hand - education, information, cooperation and coordination, and spent a great deal of time on education and information. When we got down to cooperation and coordination, we ran out of time, and we decided to do the rest of that by mail, but we have them all covered. The first recommendation has to do with education.

RECOMMENDATIONS:

1. PUBLIC LAND ADMINISTRATIVE AGENCIES, INCLUDING THE BUREAU OF LAND MANAGEMENT, ESTABLISH A PROGRAM TO CREATE, PROVIDE AND DISTRIBUTE FREE EDUCATIONAL MATERIAL FOR USE BY THE MASS COMMUNICATIONS MEDIA. SUCH MATERIAL SHOULD INCLUDE MATTES, PHOTOGRAPHS, PRESS RELEASES, IN-DEPTH ARTICLES, EDITORIAL AIDS, PRE-RECORDED RADIO TAPES, AND FILM CLIPS FOR USE ON T.V. FURTHERMORE, ESTABLISH A SIMILAR PROGRAM FOR THE CREATION AND PROVISION OF APPROPRIATE EDUCATIONAL MATERIALS FOR DIRECT DISTRIBUTION TO CITIZEN GROUPS AND THE GENERAL PUBLIC.

Item 2 was also education.

2. PUBLIC LAND ADMINISTRATIVE AGENCIES, INCLUDING THE BUREAU OF LAND MANAGEMENT, CREATE AND DISTRIBUTE FREE AUDIOVISUAL MATERIAL FOR USE IN VARIOUS LEVELS OF THE SCHOOL SYSTEM. SPECIFIC PROGRAMS SHOULD BE TAILORED FOR THE PRIMARY, INTERMEDIATE AND SECONDARY LEVELS. THESE PROGRAMS SHOULD INCLUDE, BUT NOT NECESSARILY BE LIMITED TO, POSTERS, PRINTED HANDOUTS, FILM STRIPS AND MOTION PICTURES TO BE USED IN THE SCHOOL CURRICULUM AS WELL AS THE SCHOOL ASSEMBLY PROGRAM.

Item 3 was also a matter of education.

3. PUBLIC LAND ADMINISTRATIVE AGENCIES, INCLUDING THE BUREAU OF LAND MANAGEMENT, PROVIDE AND ENCOURAGE PUBLIC SPEAKERS TO PRESENT PLANNED EDUCATIONAL PROGRAMS, AND THAT THESE SPEAKERS PRESENT SPECIFIC PROGRAMS TAILORED TO MEET THE SPECIAL INTERESTS OF YOUTH GROUPS, LAND USER GROUPS AND GENERAL ADULT AUDIENCES.

Item 4 was also an educational matter.

4. PUBLIC LAND ADMINISTRATIVE AGENCIES UTILIZE EVERY POSSIBLE MEANS TO CONVEY THE MESSAGE: ENJOY, BUT DON'T DESTROY...USE IT BUT DON'T ABUSE IT - OR YOU WILL LOSE IT.

And here again we owe this to Tom Bates, a very catchy phrase. I think putting in those few words are priceless and I think we all thought the same way.

No. 5 is the one we unfortunately forgot to put on the first page.

5. A FEASIBILITY STUDY SHOULD BE CONDUCTED REGARDING ISSUANCE OF AN ANNUAL FREE RECREATIONAL PERMIT WITH THE PURPOSE OF SUCH A PERMIT TO BE FOR EDUCATIONAL PURPOSES, SIMILAR TO THE FOREST SERVICE CAMPFIRE PERMIT.

This item had some discussion at the committee meeting. We couldn't exactly agree whether we should or shouldn't,so we put it out on the basis of a feasibility study to be directed toward it to investigate it in more depth. We didn't feel that we had the time to take it to that much depth. We thought the entire body here should think about it as all the pros and cons in this matter. We realize that there is a lot of paper work in connection with this, so this study has to have an evaluation. But we thought it was worthwhile to put it down as a method of reaching particularly those portions of the public that you would not otherwise reach. You reach organized groups perhaps, but you cannot reach the other segments of the public, such as the occasional person that goes out. But with this sort of a method, particularly if you had an enforcement agency of some sort, might become feasible. But here again, we left it up to the group as a whole.

Item 6 was an educational matter.

6. WHATEVER RULES AND REGULATIONS ARE ENACTED BE PROMINENTLY DISPLAYED, PUBLICIZED AND OTHERWISE BROUGHT TO THE PUBLIC'S ATTENTION BY VARIOUS MEANS. SUCH METHODS OF DISSEMINATION MIGHT INCLUDE SIGNS POSTED IN STRATEGIC PLACES, AND PAMPHLETS IN "TAKE ONE" BOXES. THE INFORMATION SHOULD NOT BE LIMITED TO A SIMPLE ENUMERATION OF THE RULES, BUT SHOULD INCLUDE AN EXPLANATION OF THE REGULATION'S NECESSITY AND WHAT IT HOPES TO ACCOMPLISH.

We felt that people today are knowledgable, a lot of them, and you appeal to their sense of reasoning, well one might get farther than if you set down and reason out why the rules were there. I think some of these are being done already, in the way of signs and hope it will be carried on further.

Item 7 is another educational matter.

7. WHEN NATIONAL ENVIRONMENTAL GOALS ARE ESTABLISHED, COMMERCE AND INDUSTRY BE APPRISED OF SUCH GOALS AND ACTIVE COOPERATION BE SOLICITED WITH REGARD TO THEIR PRODUCT ADVERTISING AND THEIR COMMUNICATIONS WITH THE PUBLIC.

We realize and we discussed that very often we might have the best intentions as individuals or groups, and an advertisement that comes before the public in the form of a television newscast might destroy a good deal of the work that we have put in. The idea would be that when it has been established what our goals are, maybe industry could be clued in to work cooperatively in those lines so that we would have one goal and we wouldn't have divergent goals. We are not saying what it would be, we are saying when this happens we would agree that these are our goals, then perhaps we could work in this direction.

Item 8 has to do with education and also cooperation.

8. A STUDY BE CONDUCTED TO DETERMINE THE FEASIBILITY OF ESTABLISHING QUALIFIED AUXILIARY PERSONNEL COMPOSED OF VOLUNTEERS TO PERFORM SERVICES AND ASSISTANCE TO REGULAR LAND AGENCY PERSONNEL.

This had a lot of comment in our committee. We didn't feel we had enough time to explore this in depth, we did feel that there were areas that auxiliaries could be used and there were areas where they maybe shouldn't be used, but this would have to be explored and we would feel our way into it. Some of us were very strong on the idea of auxiliaries and their advantages and some of us were somewhat dubious on this same matter. We'll leave this to the group as a whole to decide what they feel about it.

Item #9 is a matter of information.

9. AN INVENTORY OF ALL PUBLIC LANDS, BASED ON UNIFORM NATIONWIDE CRITERIA, BE TAKEN. SUCH AN INVENTORY WOULD FORM THE BASIS FOR USE, PRESERVATION AND CONTROLLED CONSUMPTION.

Our thinking on an inventory was that over a long range aspect it would be above what would maybe be necessary for off-road vehicle use, but inevitably these things tie together. An inventory would have to be broad, and would have to be worked out in segments with first things first. We didn't go into the priority item, but we all agreed that an inventory was necessary. We didn't say when.

Item 10 is our cooperation matter. Cooperation is working with others for mutual benefits, the dictionary's definition of it. I get confused myself to where cooperation begins and coordination begins, but I straightened myself out by thinking of it as working with others for mutual benefits.

10. CLOSER LIAISON BE INITIATED BETWEEN THE LAND MANAGEMENT AGENCY AND THE RECREATIONAL USER OF THE PUBLIC LANDS BY THE ESTABLISHMENT OF LOCAL AND REGIONAL CITIZEN ADVISORY COUNCILS TO REPRESENT THE VARIOUS RECREATIONAL PURSUITS. SUCH COUNCILS, SELECTED BY THE MANAGEMENT AGENCY, SHOULD INCLUDE REPRESENTATION NOT ONLY FOR OTHER LAND USE BUT ALSO FOR LONG RANGE PRESERVATION, CONSERVATION AND CONSUMPTIVE USE CONCEPTS.

This would not be a committee, but a council that would be very carefully selected to be representative of a wide range of thinking on all matters that have to do with land use.

Howard Harris: Al, did you limit that to recreational users?

Al Kramm: No.

Howard Harris: Would you read that again.

Al Kramm: (Item 10 reread). The meaning is that these would be recreational councils composed of recreationists, but on these councils there would be representatives of other use. These councils would have to be tailored to suit the country in which they are located, because of user variety. There would have to be representation on these councils that would represent preservation, conservation, and consumptive use concepts. We figured that this would be a pretty rounded council, maybe of the nature that we have here.

Howard Harris: I just want to make that clear, at first it sounded like you are just going to have a recreation council. Certainly the cattlemen and maybe even miners, everybody that is a user, ought to be involved to get the cooperation and understanding.

Al Kramm: Item 11 has to do with cooperation.

11. PLANS RELATIVE TO LAND USE AND DEVELOPMENT BE OFFERED FOR GENERAL PUBLIC REVIEW AND COMMENT. A RE-EVALUATION OF SUCH PROPOSALS SHOULD BE MADE, IN CONSIDERATION OF PUBLIC OPINION, BEFORE FINALIZATION AND ADOPTION.

The purpose of this would be that if you put out plans for the public to review and you ask them for their comments, there should be a serious reconsideration taken and after one gets the comments, make sure they are considered, otherwise the public feels that they have been left out and I think the public should know what the plans are and they should be asked to participate, and our committee believed so too.

Item 12 has to do with all the objectives which our committee has formed.

12. FOR THE PURPOSE OF ENLISTING COOPERATION, PROMOTING COORDINATION, AND PROVIDING INFORMATION AND EDUCATION, A VARIETY OF PROGRAMS BE DEVELOPED WITH APPEAL TO VARIOUS AGE LEVELS AND SEGMENTS OF OUR SOCIETY, WHEREIN INDIVIDUALS AND GROUPS WILL FIND STIMULATING AND REWARDING EXPERIENCES IN MEANINGFUL AND PRACTICAL PROJECTS INVOLVING LAND USE, REHABILITATION, GOOD OUTDOOR MANNERS AND SPECIALIZED ENDEAVORS.

We considered that different groups of our society are geared to do, and want to do, different things. Programs should be developed where they can indulge in their activities for the common benefit. There would have to be variety as this is a variety group. For instance, school children might be geared to do something that has to do with their school life and it might be litter - pick-up. Somebody else who is qualified, a specialist in some field, might wish to contribute their time in identified areas for the Bureau as an auxiliary type of person. Maybe some group who wants to rehabilitate a camp that has been destroyed might go in with their jeeps and work, such as the 4-wheel drive people did recently in the National Forest. They did a remarkable job and it was a program which suited these people. We just had a big cleanup in Calico. There were many groups participating, and that type of effort suited a certain segment of our society. There are a lot of areas that people will work in provided there is a program and they are invited to participate. If the program is there, the people will participate. Such efforts are a means of education and information and at the same time they are participating. They are doing something that is constructive for the benefit of the country.

Now item 13 is on the matter of coordination. The dictionary definition is acting together in a smooth coordinating way.

13. LAND LAWS AND POLICIES BE REVIEWED TO ELIMINATE CONFLICTS OF INTERPRETATION, AND UPDATED TO SERVE MODERN DAY NEEDS AND CONDITIONS. MORE LIAISON BETWEEN POLITICAL JURISDICTIONS SHOULD BE ENCOURAGED FOR THE PURPOSE OF PROMOTING UNDERSTANDING, HARMONY, AND THE ELIMINATION OF DUPLICATE EFFORTS AND PARALLEL PROGRAMS.

I think it speaks for itself.

And finally, No. 14.

14. AUTHORITY AND FUNDING BE PROVIDED SO THAT THE ABOVE RECOMMENDATIONS CAN BE CARRIED OUT.

Howard Harris: Thank you very much. How long did it take you to develop this? Did you do this in one meeting?

Al Kramm: Five hours and then we have some correspondence. Of course, we did our brainstorming prior to the meeting and so we had some communication before we had the meeting, and we knew what we were going to talk about. We had brainstorming ideas in a good deal of detail and then we were able to put those things together into statements which are pretty concise. Each member of our committee contributed tremendously in playing a part to put this together.

Howard Harris: I would say your committee is to be complimented. There certainly is more than 5 hours of thought there. Any comments from other members of the sub-committee.

Jack Edwards: I do believe this sub-committee is to be commended on such a fine report. Through education, the California Association of 4-Wheel Drive has teamed with the National 4-Wheel Drive Association to come up with an educational program that we feel is one of the finest in the nation. We have hand-out brochures such as this example, in particular, from the National 4-Wheel Drive Association. Some of its comments could well be used by the BLM. It is quite an extensive brochure; I'll pass it around so everybody can see it.

Howard Harris: Are they available to BLM?

Jack Edwards: No, not as yet. They are in their 4th printing and they are going as fast as they can get them out, besides they cost money, which we don't have much of - like BLM. You will notice in here fences, fields, private property, steep hillsides, and at the back of it "Mind Your Manners - It's Your Fight Too", and some suggested rules and regulations that we encourage our members to follow. Another example is this one put out by a club. It is a small brochure which tells the story quite accurately and gives us an idea of what some of the 4-wheel drive groups are doing, especially in the Fresno area. This is from the Fresno 4-wheel drive club.

One other comment in Item 7 - commerce and industry. Last week in Phoenix, I met with the manufacturers of all 4-wheel drive vehicles. This was put to them on the same basis, that not only we as 4-wheelers and recreationists feel that we have a responsibility to the land itself, but we feel that part of this responsibility should be shared by the automobile manufacturers. If we are to keep using these lands, parts of the responsibility should be theirs and that they should help with every new vehicle they sell or even help us financially to get the message across to educate the people to the proper usage of the land. Most of the manufacturers were agreeable, except one, and his comment was, "we can't even get them to read the regulations that we put in the glove compartment for the proper usage of the vehicle. How in the world do you expect them to read anything else?"

Howard Harris: Make it shorter.

Jack Edwards: So, I doubt very sincerely if we'll get industry to cooperate to any extent. These are the only comments I have.

Howard Harris: Well, I think we still ought to try. Any other comments on the sub-committee's report?

Roger Mitchell: Is there anyone here that cannot live with our recommendations?

Howard Harris: What is the reaction as a whole? Shall the Chairman assume that the council favors this? Do I hear any dissent?

Ron Sloan: I was just looking to Russ. We are talking of funding. You have some very elaborate programs proposed to you and some very expensive programs. I think they are admirable programs, but from a practical standpoint there is a great deal of funding involved. I'm sure that it duplicates some of the efforts the Bureau has already established as far as their programs in education. They might have to be expanded, but it is going to be pretty tough to put them down into a resolution or a recommendation without funding to go with it.

Howard Harris: I'm glad you mentioned it.

Ron Sloan: That is going to be the big sticker.

Al Schiavon: I move for the adoption in principle of the proposal by the Sub-Committee on Education, Information, Cooperation and Coordination. (motion was seconded, voted on and carried).

SUB-COMMITTEE REPORT ON LAW ENFORCEMENT AND MANAGEMENT

(Sub-committee report is enclosed as Enclosure #3)

H.F. McMurphy: I can't give a report like that last one, because he went overboard on that.

Howard Harris: Both of the committees covered some of your subject matter.

H.F. McMurphy: They left one thing out. We met on November 15 at Dan Kelsay's at Modesto. We were all present. Don Halsey gave us some information to give us a little help. It seemed like time was something that ran short. We didn't get as far as we would have liked. We had to postpone our meeting once on account of not being able to get all of us there.

Here are the problems our sub-committee worked on. After considerable discussion, the sub-committee concluded the Bureau of Land Management:

(a) DOES NOT HAVE A LAW ENFORCEMENT SYSTEM TO THEIR ORGANIZATION.

(b) PRESENT LAWS AND REGULATIONS ARE, IN MANY INSTANCES, INADEQUATE AND UNENFORCEABLE.

(c) PRESENT PERSONNEL ARE NOT TRAINED IN LAW ENFORCEMENT PROCEDURES.

(d) NOT ENOUGH HIGHLY-TRAINED PERSONNEL TO ADEQUATELY ENFORCE LAW, RULES AND REGULATIONS.

H.F. McMurphy: The sub-committee recommended to the BLM and I'm going to ask Lawrence Cloyd to discuss this.

Lawrence Cloyd: We had quite a bit of discussion on law enforcement. We realize it will take quite a bit of time for the BLM to develop a law enforcement system and someone to enforce the law and it requires money and time to do that.

Here is our first recommendation on enforcement:

1. DEVELOP REASONABLE, UNDERSTANDABLE AND ENFORCEABLE LAWS, RULES AND REGULATIONS, BOTH GENERALLY AND BROADLY; AND SPECIFICALLY AS NEEDED.

Lawrence Cloyd: Now I noticed this morning Ron said that in a good many places you can't develop rules and regulations until you know what you want to develop them for. You can develop general rules and regulations which everybody understands, but when you get to a specific area you have to get down to developing specific rules and regulations.

2. ESTABLISH A PROTECTION SYSTEM, STAFFED WITH HIGHLY QUALIFIED AND SELECTED PERSONNEL AS A LAW ENFORCEMENT UNIT IN EACH BUREAU OF LAND MANAGEMENT DISTRICT; THAT SUCH PERSONNEL SO SELECTED BE:

    (a) HIGHLY TRAINED IN LAW ENFORCEMENT PROCEDURES. RECEIVE SUCH PEACE OFFICER TRAINING INITIALLY BEFORE BEING ASSIGNED TO LAW ENFORCEMENT DUTY AND RECEIVE BI-ANNUALLY REFRESHER COURSES AT SCHOOLS SO RECOGNIZED TO GIVE SUCH LAW ENFORCEMENT TRAINING.

(b) BE DISTINCTLY UNIFORMED.

Lawrence Cloyd: Actually one person in a distinctive uniform sets him apart as an enforcement man. Even to the extent that he has an automobile that can be recognized as an enforcement automobile is a deterrent on people who violate or break laws. We have to recognize that most people that go into the field really don't want to break the rules or regulations, but are also opportunists, and when they are out there and they have an opportunity to break a law and they think they are not going to be caught, they'll break it. They don't go out with the intent of breaking the law, but opportunists cause most of your law breaking. It isn't the intent of the man to break the law. You do have some of these, but this is in the minority. So if you have a distinctive uniformed man he will stop a lot of this just by being there. People know he is there and he is cruising around and they may think he is just over the hill and that he is watching them.

(c) BE DESIGNATED AS PEACE OFFICERS AUTHORIZED TO ENFORCE BOTH LOCAL AND FEDERAL LAWS.

Lawrence Cloyd: You have this dual relationship with the Fire Warden, not only State peace officers but they are also Federal. They carry a Federal badge and they can enforce Federal laws.

(d) BE AUTHORIZED TO CARRY SIDEARMS UNDER CERTAIN CONDITIONS AND STRICT CONTROL AS DETERMINED BY BUREAU OF LAND MANAGEMENT POLICY.

Lawrence Cloyd: Now we discussed this quite a bit and as to whether they should carry side arms. There are times when you should have sidearms and you should be able to have them. I would hesitate to send any officer that was designated as a peace officer into the field without having a sidearm available. You are risking that man; risking his life. You don't know what he is going to run up against and he should have a sidearm to carry under certain conditions. Now if he is directing traffic at a rally or something like that it might be the policy that you would not want him to carry a sidearm.

Beula Edmiston: I have one comment, Mr. Chairman. Underline the necessity of discipline for the man that is carrying the sidearm for his sake or the public.

Howard Harris: You wouldn't turn everybody loose would you?

Beula Edmiston: No, but the necessity for adequate training is spelled out in the report and I would underline that, for everyone's sake.

Lawrence Cloyd: This is why we put it in there, before you turn loose people to enforce the law they must be highly trained.

Howard Harris: They must have the right personality. Everybody can't get along.

H.F. McMurphy: This will take a lot of time. Actually I think the officer is the key to the whole situation. We put more time on this than anything else. I still feel that the future of any program, wherever you have people, regardless of what they are doing, the officer in charge is the one we have to be very careful of. These are our thoughts on it.

(e) ESTABLISH CRITERIA BASED UPON DEMAND AND USE FOR DETERMINING THE NUMBER OF LAW ENFORCEMENT PERSONNEL NEEDED IN A DISTRICT TO PROVIDE ACCEPTABLE COMPLIANCE OF LAWS, RULES AND REGULATIONS.

(f) DEVELOP SPECIFICATIONS TO FIT BUREAU OF LAND MANAGEMENT NEEDS FOR SELECTION OF LAW ENFORCEMENT PERSONNEL.

(g) DEVELOP A LAW ENFORCEMENT TRAINING PROGRAM WITHIN THEIR ORGANIZATION FOR TRAINING OTHER THAN LAW ENFORCEMENT BUREAU OF LAND MANAGEMENT PERSONNEL TO ASSIST THE FULL-TIME LAW ENFORCEMENT OFFICER TO ASSURE COMPLIANCE WITH LAWS. EXPLORE THE POSSIBILITIES OF A VOLUNTEER DEPUTY UNIT.

Lawrence Cloyd: I can elaborate a little on this. In our State Fish & Game Department we have people whose duties primarily are to enforce the law. These are uniformed people that have a distinctive uniform and carry a sidearm. Also, we have additional field people for instance, the wildlife management people, and the inland fisheries people,who go thru a training program and are deputized. Their primary duty is something different than law enforcement but they also receive enough training and carry a deputy badge so if a violation occurs in their presence they can do something about it. They don't walk away from it. This increases our force in the field. Their job is not primarily law enforcement, and this is what we are suggesting here.

Also you can have a trained volunteer group to help you with rallies and this sort of thing. For example, there are auxiliary units to the city police and they call them out when they have large crowds of traffic and use them for this sort of thing.

H.F. McMurphy: These men can be trained by the law officers themselves.

(h) MAKE THE LAW ENFORCEMENT UNIT HIGHLY MOBILE AND EQUIPPED WITH A COMMUNICATIONS SYSTEM TIED IN WITH OTHER FEDERAL, STATE AND LOCAL ENFORCEMENT ORGANIZATIONS.

Howard Harris: Any comments?

J.R. Penny: I am very impressed with the statement. It fits in exactly with the proposals we have made in connection with the California Desert Study which Larry is acquainted with and read and in that study we have proposed the establishment of a uniformed ranger system equipped with vehicles and communications that you propose here. You have developed some philosophies here that could carry right in with our proposals on the Desert Study and we will attempt to do so.

Roger Mitchell: What is the status of your proposal?

J.R. Penny: We are in the final revision, you might say, which we think will go to press in the next week. It will be presented to the Assistant Secretary of the Interior Tuesday. I have already presented it to the Director in Washington and he has accepted it and considers it as something that we should proceed with.

Jack Edwards: Russ, in that proposal you are making, does it say that the law enforcement man be also well qualified in the different aspects of the user groups?

J.R. Penny: We don't have all the philosophy in there that maybe we should, but we haven't gotten too detailed at this point. But we have said among ourselves that although the legislation may allow arrest authority, we certainly don't want all our field people to have that type of authority. They are not all trained for it. We want to follow the philosophy that Larry has expressed here, but we also want that authority so if we need it we can have the proper people exercising it. In our report we had originally stated that we needed the legislation to provide authority for these rangers whereby they could issue citations for the violations of the regulations, and also make arrests. I struck out the word arrest and left it silent because this is a new area and we did not want to imply that our field people would all have this authority. I also struck out the matter of bearing arms, for the same reason. I think the philosophy is expressed here that you do need people properly trained who could make arrests and could carry sidearms within the proper responsibility.

H.F. McMurphy: These would have to be screened according to our suggestion. It just couldn't be anybody.

J.R. Penny: Your statement is going to be very helpful in many aspects here. I think our Bureau in Washington is going to be very appreciative of this, because it develops a statement in a fashion that I don't think was available to them before.

Roger Mitchell: I move that the whole committee adopt the recommendations of the law enforcement sub-committee. (The motion was seconded and passed on enforcement).

J.R. Penny: Howard, as I mentioned earlier, I would like the opportunity at lunch to sit with representatives of the motorcycle group and yourself and Bill Leavell and Del Vail to discuss a local problem involving the Panoche area, and the management problems we are trying to solve to see if we can get some ideas from you as to where we might proceed.

Howard Harris: Just before we go to lunch we'll have time for this progress report from Del Vail.

PANOCHE PROGRESS REPORT

DELMAR VAIL
District Manager, Folsom

Del Vail: This is a continuation of the progress report on the off-road vehicle use that I gave you last August. At that time we had our signs installed except for those on the trail, our map brochures were available on the area and we made a request for additional funds for sanitary facilities, trash pick up and trail signs. As you all know, the Panoche is an intensive use area and a somewhat different situation than cross country or use in the southwest desert that Jack Wilson and Bob Springer are experiencing.

The Panoche area is of limited size and one of the very few places where off-road vehicle enthusiasts from the many nearby population centers can ride. As you know this is our first major attempt to manage off-road vehicle use. Many of the things that we have already learned or are learning will apply to any type of off-road vehicle use management when it is undertaken.

Let me recap for you on this map here, the plan as it existed in August. This is the vehicle use area in orange; it consists of some 1,200 acres. The area is designated with orange stakes on the perimeter.

Howard Harris: How far apart are those stakes - they look awfully close to me?

Del Vail: They are. It looks like you are planting trees out there, and you remember, I expressed concern that we had too many, they are about 100 ft. apart. They look ridiculously close, but we are losing motorcycles between them. They go thru the boundaries.

That dotted area of 1,200 acres is open year around under this present plan. The main access road into the area and these other main roads are open year round also. After the fire season, which is usually about the middle of October to April 1, we have made this 15 mile trail available and it is now signed as being open. We had a parking lot and camp area in the designated use area.

The most important feature I feel of the off-road vehicle plan is multi-use consideration. We had a grazing plan for the area north of the intensive use area. We have two more plans to the south and east in the process of being developed. We are in the process of developing a habitat management plan. All of these resource plans are going to depend upon fitting together with each other. As far as the off-road vehicle portion, it is essential that we have proper use by these off-road users. Now to get from this paper plan to the ground, we developed a brochure explaining (you have copies of it) the use. We devised what we thought was a pretty good sign program, but we have found that they both had to be revamped. We are getting a lot of experience out of this. This report will center around the brochure, the sign program, the service facilities, the uses, supervision and the budget allowance. Heavy use began in October this year. At this time we became aware that much unauthorized off-road vehicle use was occurring outside the designated areas. Interviews with the users indicated that they were dissatisfied with being limited to certain areas, they didn't understand the brochure, they desired additional campsites away from the use area, they badly needed sanitation facilities and the sign layout wasn't adequate. These problems were reviewed and action was taken. We revamped the brochure, and added more signs and provided more campsites. One of the problems on the camp site up in the use area on top of a hill was that it was cold, so we went down into a draw and made additional facilities out of the area for camping.

Another problem identified was that hunters were being stopped from using the area since no vehicles were allowed off the main access road. State Department of Fish and Game contacted us and made a suggestion that would facilitate hunting in the back areas. A sign was made and posted at the gate informing as follows: "ATTENTION HUNTERS. HUNTERS WITH 4-WHEEL VEHICLES MAY USE ALL EXISTING ROADS ON PUBLIC LANDS DURING UPLAND GAME SEASON". We had a problem there where hindsight was better than foresight. We said 4-wheel vehicles. Everyone sees that as they drive past and take it as 4-wheel drive. The sign went on to say "ATTENTION NON-HUNTERS. OFF-ROAD VEHICLE RESTRICTIONS REMAIN IN FORCE".

During this time we received $1,500 of the additional $5,000 requested for development and the maintenance of the area. We actually spent $1,800 for the purchase and installation of additional signs and two toilets. No funds were made available for site cleanup so consequently we have now removed all the litter barrels. Two signs were put up requesting that users carry out their own garbage. To show you the effectiveness of signs, we put the signs up first then started gathering the barrels. One of the users came over and asked what we were doing. He said "Why didn't you put up some signs", and he had just driven past one when he came over and talked to us. We are going to have to build a better sign to get and keep their attention.

An enforcement of off-road vehicle road use plan is entirely dependent on information and education. As you well pointed out today, our present capabilities are really limited. As you notice the brochure is now simple, and direct as possible. We have it highlighted in the area by adjacent colorful signs saying "YOU ARE HERE" so they can orient themselves, with the brochure, the area, and become acquainted with it. Besides the major sign at the entry to the area, we have added more "NO VEHICLE" signs, especially at junctions of primitive roads and trails with the main access road. We are trying to put about three signs per mile along the roads.

We found a man out of the area, and we asked him why. He said "Yes, I saw that 'NO OFF-ROAD VEHICLE' sign on one side of the road, and I turned and there wasn't any on the other side so I went off the road that way". So now we have the signs opposite each other. The signs are being ignored. To give you another example, within six feet of one of our "NO OFF-ROAD VEHICLE" signs we found a pointed arrow designating a direction to be taken off the road.

Roger Mitchell: This was put up by some organized group?

Del Vail: There was no identification on it, but the tracks were there. Motorcycles were using the area. There were no indications of an organized group as a club, but evidently there was a group there.

Roger Mitchell: Were there other arrows like this?

Del Vail: Three or four. The majority of these people are using the designated camp sites but there is a considerable number still camping in small groups scattered throughout the unauthorized area. Actually some unauthorized use was expected initially but it was hoped that it would gradually disappear, as users became educated and familiar with the area. For 5 consecutive weekends I've had a man in the Panoche area meeting these people, handing them a map brochure and explaining the regulations for use. Most of his time was spent in a 4-wheel drive vehicle handing maps to people off the area and explaining the plan of use. Such off area contacts involved hundreds of users. Although this program resulted in general knowledge of proper use, it did not eliminate trespass but merely held it at a minimum. Fred Wolf, my assistant, was down there. He said that he drove continually. He could keep them in the use area but if he stopped for any time at all they would be out in the unauthorized area right away.

Ron Sloan: What kind of volume are you talking about?

Del Vail: 250 people average/day on the week-end.

Ron Sloan: How big an area is that?

Del Vail: 1,200 acres of intensive use area. There are 30,000 acres in Panoche public land block.

Roger Mitchell: Are you talking about motorcyclists?

Del Vail: Yes. The hunters have gotten into the same habit just like the motorcyclists. They have some good areas where they like to go hunt. There is no conflict between each user type other than the hunter might be sneaking up on the birds and a motorcycle pops over the ridge. We haven't had any experience of acute conflict reported.

Beula Edmiston: Are off-road vehicles permitted in the hunting areas?

Del Vail: No. Off-road vehicles are held to the 2 lane road in this area and to the designated trails. During hunting season we did say that 4-wheel vehicles could go out on established roads for hunting, (4-wheels, not 4-wheel drive). They had to be hunters.

Roger Mitchell: Have you noticed many hunters violating the law?

Del Vail: We had not anticipated the problem. We were not completely aware of what we were doing to the hunters. They violated the area on opening day because we said no off-road use and they did go off the established roads. Some of them didn't. Some of them came back and told us what we were doing to their hunting trip. Others just disregarded the signs and went right off the road and did their hunting, but we became aware of the problem.

The week-end patrol was discontinued for 2 week-ends. We ran out of money and man months. I'm working in a deficit, so I just said "O.K. we're going to have to shut if off." Sunday, I picked Russ up and took him down there to give him an opportunity to see what was going on. There were some 250 people in the area. We estimated about 30% of them were using the designated area or the roads, the other 70% were off in unauthorized areas. Now, why is this happening? Well, as I said, we found an attitude in the users that they should have all the area with no restrictions. They actually feel this and they expressed it several times. It is impossible to talk to each one of them. I feel that if we could tell them what the problem is and why we have to have controls most of them would cooperate and go back in the area and help us out. However, without this and the capability of enforcement there is a certain segment that are just not going to cooperate. Without full control, we find that the people that normally stay in bounds violate the area as they see others doing it.

In conclusion, we have set up a plan, made a reasonable attempt to work out the problems within our capability and have updated the facilities within our budget and manpower limitations. From our experience so far, there is a question of advisability of further patrolling outside of the authorized use area without enforcement authority or trained personnel and especially with just one man, not even equipped with a radio.

Our present capabilities are not adequate to supervise or control this great number of people ranging from family type recreationists to a rougher segment. We are now in the process of seeking the aid of the major clubs using the area in a further attempt to provide information and to educate the users. We are also discussing the problem with the Fresno County Sheriff's Department.

We are to the cross roads. Where do we go now? Considering the above limitations on us and the situation that was found Sunday, we come to three alternatives:

1. Turn our back - throw up our hands and close our eyes? Never.

2. Close the area until such time as when we have sufficient money and manpower with proper authority to enforce regulations. This, too, is not desirable.

3. The third alternative presently identified is to contact one or two clubs in an attempt to get their help on patrolling the area. What I mean is to use the club members as an information patrol with a clear understanding that they have no enforcement authority. The patrol would contact users outside the authorized area and inform them of the requirements for proper use and ask their cooperation.

Supervision and direction of the patrol would be conducted by at least two BLM personnel each week-end. Unless something is done soon, alternative number two may have to be implemented. You may have other alternatives or suggestions and we sure want to hear them.

Howard Harris: Any suggestions what he'll do?

Roger Mitchell: Use it, but don't abuse it or you'll lose it.

Ron Sloan: I'd like to ask one question. When you closed that area previously, you designated one area nearby where they could ride with very little abuse,as I recall. Is that area close to the Panoche?

Del Vail: This is the New Idria area.

Ron Sloan: How far away is it?

Del Vail: Thirty miles. There is a problem of managing this use whether it is there or in Panoche, as the numbers grow greater.

REVIEW OF ORVAC MEMBER'S STATEMENTS

DONALD G. HALSEY
Protection Specialist

Howard Harris: Let's get started. Don Halsey would you give us a short presentation on the ORVAC questionnaire? When Ron and I met with Russ and staff on preparing today's agenda we had each reviewed the questionnaire statement sent out and were curious about some of the answers that we ourselves had given to some of the questions, after seeing the interpretation that others had given the same question. So it was our thinking that at this time it might be well to give members an opportunity to go home and review them again and maybe make comments on any thing they wanted. We noticed that Alfred Kramm, for example, evidently read his more thoroughly than most of us did, and made more general comments. Certainly the comments are probably just as important as the little Xs, on the questionnaire, so with that introduction, Don would you enlarge on that.

Donald Halsey: We started with each member's general statement and prepared a series of questions which covered the various points brought up by the members on off-road vehicle use. The questions were mailed to the members as a questionnaire to obtain the position of each group on the point raised. When the responses were received, they were summarized on a cover sheet so that each member could see how the other groups replied and evaluate their position on each of the points. In addition to showing the member's position on a point by a yes or no answer, we also noted general comments given to qualify an answer.

We also felt another way to analyze results would be to indicate majority areas of agreement, or of disagreement, with a 3rd grouping of borderline answers where the yes's and no's failed to indicate a majority of agreement.

Our purpose, of course, was to zero in on what the majority of the group was agreeable to, so that these opinions could be reflected in the procedures. It is always difficult to summarize general statements adequately and if there are some further qualifications the members would like to add to their questionnaire, this would be an opportunity to do so.

Howard Harris: I ask the council what they would rather do. We could spend the rest of the day going over this but it was Ron's and my idea, at least, that we just call this to the Council member's attention. In view of the various interpretation of identical questions as indicated by the comments, individual members should have the opportunity at some time of dropping the Bureau a line saying, for example, "I voted for intensive use on small areas and yet I voted that concentrated use is undesirable. It sounds inconsistent, but here is what I really meant". I would think that this would be sufficient. The Bureau doesn't necessarily take the Xs literally. So I would suggest that with the agreement of the council, if anybody has another comment they want to make, drop Russ a line. Is this what we had in mind, Ron?

Ron Sloan: Yes.

(Note: Al Kramm has subsequently provided comments on the questionnaire statement. The summary statement as modified, indicating areas of agreement, disagreement, or borderline, with summary comments, is enclosed as Enclosure No. 5.)

PROPOSED DIRECTIVES FOR OFF-ROAD VEHICLE MANAGEMENT

WILLIAM G. LEAVELL
Chief, Div. Resource Program Management

Howard Harris: As you remember, the Bureau was going to take all the ideas that were given to them, all the ideas that they already had, and try to put something in writing - towards the end - something we could sink our teeth in. So that in possibly one more meeting perhaps they would come forth with something that we could finally approve as our work, so that we just don't continue to meet indefinitely. Although, if you notice, the last thing on the agenda is Where do we go from here? We will decide that afterwards.

Bill Leavell would you come forth at this time and go over these directives? When we were discussing the agenda we felt that maybe we ought to do it page by page and take people's suggestions that way. We are talking now about this rough draft of procedures.

William Leavell: Please refer to your copy of the draft of procedures sent to you on October 10 after the last meeting. As Howard said, we have put together procedures from the combination of the council's statements and the ideas of our Resource Managers, as a general guideline for off-road vehicle management. These were sent to you as a 50 page draft and contained the following as proposed general guidelines:

- General Statement (Policies)
- Priorities
- Management Criteria
- Technical Criteria
  - Open Use Areas
  - Restricted Use Areas
  - Non-Use Areas
- Definitions

and some specific procedures for

- Inventory and Planning
- Special Use Permit Procedures
- Enforcement Procedures (including closures)

An Appendix #1 was attached providing general objectives for Information and Education, Public Coordination, Management and Supervision, Support Activities, and Maintenance and Rehabilitation, pending further recommendations by the council and development into procedures on these matters.

(Note: Since each council member has the 50 page draft as a reference, it will not be included as an enclosure to these minutes. It's final form as modified by comments at this meeting and further review, will be made a part of the record in the minutes of the following meeting).

I propose that we start and obtain your comments page by page.

Appendix #1 - Are there any comments on this item which states the general guidelines to be followed pending development of specific procedures for these subjects?

These were just very general statements as to how we would proceed in these areas until we had your recommendations and until we developed procedures. (No comments).

Page 1 - 4 General Statement; Priorities

Howard Harris: Ron and I have some. On priorities, we felt that priorities singled out organized occurrences and it wasn't really the organized occurrences that were the main problem. However, I see that it looks like this has been taken care of on the substitute rewrite just handed out.

William Leavell: Yes, Howard. After re-evaluating the procedures and discussing this with a number of people we felt we could better restate this part in such a way as to better indicate what was intended as a course of action. We rewrote the statement beginning with the subject Priorities, on Page 1, last paragraph, through the next 3 pages and the first paragraph of Page 4, to the subject, Management Criteria. The rewrite is shown in this handout just provided to you called Sequence of Action. I'll read the handout statement. It was developed keeping in mind that we have broad regional differences on the public lands in California and the sequence of efforts will vary depending on specific circumstances.

Sequence of Action

The Bureau's limited manpower and funds to support and manage off-road vehicle use requires that efforts be placed in the most critical areas of use requiring management and protection in the following sequence:

> Generally, action will first be taken on the inventory, planning, and management of areas receiving concentrated ORV use. This will include action on both general off-road use and on permits for ORV organized occurrences.
>
> Next, will be the identification of areas requiring protection from ORV use, with followup restrictions or closure procedures as required.
>
> Finally, management of general ORV use on the remaining areas will be undertaken as funds and manpower permit.

Concentrated Use Areas

Concentrated use usually occurs on easily identified areas of limited size, which are being extensively used. These sites are usually quite accessible to large population centers and well suited to one or more types of ORV use. User conflicts can occur in two categories; those between types of ORV users and those between ORV use and other resource activities. Management efforts of all ORVs in these situations are critical to both the user and the resources. Proper supervision and support can add greatly to user benefits and enjoyment as well as prevent or reduce resource damages and user conflicts. Inventorying, planning and management of these concentrated use areas will be undertaken as soon as manpower and money can be obtained. Efforts should be directed towards acquiring the necessary inventory data, compiling a vehicle use plan as related to the other multiple uses present and implementing the plan. This latter step should consider proper signing, sanitation facilities, information and education requirements such as brochures, public participation, supervision, enforcement and maintenance. The processing of permit applications for organized ORV use occurrences will insure that a proposed concentrated use is well planned, managed and coordinated with other uses. The permit is also a public service item that requires communication between the user and the manager. Permits should be authorized only to the extent that they can be properly planned and administered considering that assistance will be expected of the permittee.

Areas Requiring Protection and Closure

There is critical need to preserve or protect certain areas such as fragile watersheds, cultural sites, endangered wildlife habitat or certain types of recreation or natural areas thru identification and restriction or closure from ORV use before such use damages the resource. Such protection can include boundary posting in special cases, delineation of such areas on maps available to the public and thru various closure procedures.

Other Areas

Management of the remaining extensive use not covered in areas of concentrated use or closed to ORV use is listed last in order of effort. Although the density of use is not great, certain situations can arise requiring urgent management attention such as during periods of extreme fire danger or because of serious conflicts with wildlife or domestic livestock grazing for example.

Howard Harris: I think we ought to take these steps as we go along. How does that sound to you, Ron? Is that an improvement over the first 3 pages as originally written?

Ron Sloan: Yes.

Roger Mitchell: I question the order of priorities. I am looking at page 2 now. Areas requiring protection and closure. You point out in your 3rd word there is a critical need - I agree - most of the areas you are talking about - your cultural sites, endangered wildlife habitat, etc. - most of these things once they are gone, they are gone forever. Since you have only so much manpower and only so much financial resources, I think this should be your first priority - not your second. Once these things are gone - they are gone forever.

Howard Harris: I have the same comment, except I would put it a little different. On the original page 2, I would have labeled the item of identification and closures of areas requiring protection as the Number 1 effort and the item of inventory, planning and management of concentrated use areas later. On the other hand, I think that you could argue which is 1, 2, 3, 4 priority - so it would seem to me that instead of using the word priority at all we should just list the problems to be worked on.

Lawrence Cloyd: That was going to be my comment. It is important to inventory those areas that are used heavily now but they may be already damaged. While you are doing this you may have other areas they are moving on to and damage which are not yet damaged and so we have created another concentrated use area. The efforts on both areas have to go hand in hand.

Howard Harris: Yes, it seems to me that everytime you actually list something to be done, 1, 2, 3, 4, in priority basis, you might live to regret it.

Ron Sloan: I read this slightly different. I agree we should protect fragile areas. However, I was reading it from the standpoint of thinking that these fragile areas in most cases are theoretically untouched at this time. The off-road vehicle use is nothing new. It has been going on for a period of years and it is still not made in those areas. So I didn't look at it as serious with someone just waiting to jump in and damage it.

J.R. Penny: We are trying here to get away from the idea of what comes first, but recognizing the need to bring management to the concentrated use areas and also to protect those areas that require protection. Last week

Craig Tocher and Jack Wilson's people were down in the Afton Canyon. A new campground has been developed there and already the area around it is being used by off-road vehicles up and down the slopes next to the camping area. We can anticipate this use will grow and we'll probably have a whole new Panoche there. There is an area we have got to get onto right now to protect it from damage.

Lawrence Cloyd: I suspect that in each district you pretty well have an idea of the areas that need protection. Rather than wait to do anything about those, while you go thru this other process, you have listed as No. 1 in Sequence of Action, you could proceed on both efforts at the same time. I realize you have a manpower problem but it can be worked in to do both efforts together.

Roger Mitchell: In one particular district, Panoche is hot, and something is going to be done about it, I assume. Thats where the attention is focused right now. However, 10 miles away from Panoche there may be something critical which if not protected, may not be there this time next year. I'm afraid that your attention is going to be mainly directed to problem areas rather than to preventing problems in the future.

J.R. Penny: Right now we are trying to bring the critical areas into focus in our programming. In the past year we have discouraged certain development of the desert because we were opening up areas that would create problems such as you have just described, Roger. We want to do just as you are saying and what Larry is saying. Now, how to express it in our statement will have to be worked out further.

Beula Edmiston: Mr. Chairman, would it be correct to say that we recommend simultaneously working on the problem areas and on the protection of particular values. That doesn't put one above the other but identifies the two urgent needs.

Howard Harris: That is right. I was just going thru the rewrite and in the first paragraph crossing out the wording "in the following sequence", so that you don't state the sequence. You just state the problem. Then reword the following statements appropriately. For example, "action must be taken in the inventory, there must be identification areas, and management of general off-road vehicle use".

Ron Sloan: If we take Roger's priority it will take some of the heat off the organized groups.

Howard Harris: Well, that is true - but on the other hand, who is to argue where the priority is. I would be inclined to agree with Roger. I am also inclined to agree that the BLM recognizes the problem too, so rather than just using that word, Sequence or Priority, we would probably just state the problem. Is this the consensus of the group? Everybody seems to be nodding. Any other comments on that? We will assume then that the Bureau will restate that part of the Procedure to reflect the comments and views expressed, in the final draft.

Page 4 - Management Criteria - General Criteria, Technical Criteria

Howard Harris: Is the statement on General Criteria meant to be singular or plural - plural I think.

Page 5 - Open Use Areas, Restricted Use Areas, Nonuse Areas

Jack Edwards: Open use areas or Restricted use areas - actually you are saying the same thing twice.

William Leavell: Open use areas are general areas that have minor limitations applied such as a code of ethics, whereas restricted use areas are those in which there may be heavy restrictions; there is a difference in the two areas as we see it.

Howard Harris: Minor restrictions and major restrictions.

Jack Edwards: That is what I was getting at. Permits are required in both. What is the difference? Personally, I can't see much difference in either one.

J.R. Penny: Restricted use areas may have formal restrictions which say that this area will be open for a specific period, but will be closed during another period, or you can't use an area except on the marked trails.

Ron Sloan: In other words, if you had a map and were looking for areas to use you may go to an open area rather than restricted area.

J.R. Penny: In an open use area you wouldn't have restrictions, except as they might come up. For instance, there might be an unusual fire year and an area might have to be closed. In the open areas, for instance, there might be some local restrictions on rights-of-way granted to others. We have utility and other rights-of-way permits over public land and similar types of restrictions that are a little difficult to handle, but they are there.

Howard Harris: In an open use area you can probably camp anywhere you want to. In a restricted use area you can probably camp only in certain areas.

Al Schiavon: As I read this, it refers, for example, to areas outside a watershed protection area where you can use the land for various, not indiscriminate, uses, but you could use it without staying on the trails.

Jack Edwards: I just took it at what it said - as it was written.

Beula Edmiston: Can you clarify it for us so that we will all have it in mind?

Howard Harris: Perhaps we could list some examples of the restrictions that we are talking about. In other words, in a restrictive use area what are we talking about? Speed limits, camping, what?

William Leavell: The technical criteria we'll be discussing later gets into more specifics.

Lamar Johnston: Mr. Chairman, I spent all day yesterday in an area that is in an open use area. It is Forest Service on the upper end and BLM on the lower end. BLM has no problems yet. You get up there in the Forest Service or in camp grounds and they have a problem. For 4 square miles it looks like Panoche. The Forest Service set the other side of the valley aside in the second category, and are going to have no problem. What I'm trying to point out is that these areas are open areas and they are worse off than you are. They have a problem over there and can't stop it. They can't do anything with it. It just snowballed until it is going every direction. They have 2,000 acres of patented land which are going to be in a sub-division right in the middle of it - the land owners and the people who own the sub-division are having a fit.

Howard Harris: Of course, we are talking in general terms here. Do you want to allow for the fact that it is defined in more detail later or do you want to define it here, too?

J.R. Penny: Doesn't this last sentence in the definition of an open use area pretty well clarify what it is? I mean, you may have restrictions but it would be of a temporary, or seasonal restriction. In the restricted use areas these are formally designated restrictions that would be there year after year.

Jack Edwards: The first sentence of the restricted area says the same thing.

J.R. Penny: Maybe we should say permit restrictions rather than just restrictions. Would that help?

Jack Edwards: Yes, it would. I object to the use of the words open use area. If you are going to have restrictions, it is not open use.

Howard Harris: Then why don't you call it minor restricted areas and major restricted areas.

Jack Edwards: O.K., I'll buy that.

J.R. Penny: I can't agree with that.

Ron Sloan: This is still just a procedural guide for your managers in the district office. Looking at the open area you already expect restrictions because they are in your rules and regulations. No matter where you are on public land there is nothing that is truly open. As it is there, I think it is very clear.

Howard Harris: What is the purpose of this definition publication? Who will be using it?

William Leavell: The BLM managers will use this to establish areas of use, by applying the general and technical criteria listed later in this draft.

Howard Harris: Why don't you keep in mind the objections that Jack Edwards has made and others. Perhaps it needs clarifying right at this point so that people, even your managers, when they read this, will know the differences between the two types of areas.

Roger Mitchell: Just one comment. I have had some experience with the Wilderness Act of 1964. This was passed by our elective representatives, and in each national forest area, it is interpreted differently. And I think you will find that unless the wording is very specific you will find various district managers interpreting the same text in different ways.

Howard Harris: Let's try to write this so we will all get the same interpretation. Now, in line with our past discussions, we were to give suggestions at this meeting. The staff is to write it up again. They will send it back to us for review.

Ron Sloan: Just one comment. I believe Bill mentioned this at the start but this procedure will be for the whole state, so you are going to have to leave some interpretive areas because I'm certain that heavy rains, for instance, or fire conditions, which certainly exist in northern California, would hardly exist in the Mojave Desert or in most locations of the Mojave Desert. So the Manager in Panoche will have to look at this a different way than the manager in Bakersfield.

William Leavell: These are guidelines and when we get into technical criteria they will have to be selective in how to apply those guidelines.

Howard Harris: We will assume you will do that.

Page 7 - Management Criteria Format

Howard Harris: Why are not flora, fauna, archaeological and historical values not mentioned?

William Leavell: Generally, they would come within the recreation activity in our effort. They are a recreation pursuit, such as looking at the flora or at historical sites, or archaeological sites.

Howard Harris: It is a little broader than that. There are a lot of people who aren't in the least interested in recreation. Scientists, for example, looking for bed bugs and who might want to preserve this particular species that only occurs in this particular gully.

Roger Mitchell: I would like to see something like that specifically mentioned.

Beula Edmiston: I definitely would like to see it mentioned. Preservation should be mentioned as such. Scientific values has been suggested as a good wording for it. I would find no fault with that word.

Howard Harris: The word enforcement seems to be left out.

Lawrence Cloyd: It is included under Rules and Regulations.

Page 9 - General Criteria

William Leavell: One sub-committee recommended that item 5 be modified. This is the modification. "Off-road vehicle use will not be encouraged, by development of access and other methods, until such time as supervision can be provided". They believed that access for other uses could be developed and allowed and even encouraged in some instances.

Beula Edmiston: The final statement would be then not to include the encouragement at this time, right?

Howard Harris: Yes.

Beula Edmiston: I like the revised statement much better.

Ron Sloan: I had a question mark on it before it was corrected. If you are not going to encourage it, what are you going to do?

H.F. McMurphy: Leave it alone.

Howard Harris: A lot of us feel that if Panoche had been discovered instead of people being encouraged to go there the problems would be less.

H.F. McMurphy: We have a lot of beautiful areas but until they can be managed they can't be opened.

Page 10 - General Criteria

Ron Sloan: Item 7. "Permit applications will be required for all organized ORV use occurrences". What about the other events? What about unorganized groups? I'm not referring to individuals.

J.R. Penny: You say unorganized groups.

Ron Sloan: Yes. Applications are to be required for all organized groups. We have groups in southern California which have no affiliation whatsoever with AMA, District 37 or any others. These will be putting on events.

J.R. Penny: The regulations, of course, are intended to require a permit for an organized event.

Ron Sloan: It says here, permit applications will be required for Ron Sloan's group only.

Howard Harris: No it doesn't.

Ron Sloan: What about unorganized groups, and there are many? They put on events.

William Leavell: Later on we will get into the section on special land use permit procedures. The definition of organized groups and the permit system will be discussed at that time.

J.R. Penny: The word "organized" is probably what is bothering everybody. If some of us get together and decided to put together an event, we are organized, and therefore, required to get a permit.

H.F. McMurphy: I consider that an organized group would be any group of people regardless of who they are that is being sponsored by one individual or group whether it is AMA or FMA or any others.

Lamar Johnston: What if it is a group of 16 or 25 who all run together - they are not organized at all. They are not responsible to anybody and are more trouble than anybody else.

Howard Harris: Ron's point is we don't want to point a finger at the organized groups because it causes a lot of confusion.

George Strauch: I took that to mean a group of people doing something together, not as an individual.

Ron Sloan: We may have a year's program worked up - but 25 people can get together Saturday night and decide to go out and do something tomorrow. That is not an organized group.

J.R. Penny: Del Price, are you covering this in your presentation?

Del Price: I am covering several things being talked about here. The important thing is to define a sport event. A sporting event is organized.

Howard Harris: You don't care what group they belong to.

Del Price: No.

Howard Harris: It seems to me that we are talking about groups, not organizations.

Ron Sloan: Some groups can put on the same race which results in a conglomeration of people and concentrated use which is not covered here. There is no way to contact them.

Jack Edwards: This hits me right in my back yard.

Ron Sloan: That is what we want, to get the whole committee on this so we understand the problems.

Jack Edwards: You are hitting the people that are going to help you the most. Is this fair? Is this right?

Ron Sloan: What we are talking about is the one group that makes up 5 or 6 thousand people, strictly motorcycles now, that is organized but which may not meet all the requirements of the regulations, but a group of 25 who have no responsibility to anyone is not being touched.

Howard Harris: What we are getting at - you don't want just the organizations to be hit.

J.R. Penny: Perhaps a review of the outdoor recreation regulations that really brought this about might help us. Referring to 43 CFR 6251.2 Motorized vehicle events.
(a) The authorized officer may issue permits in accordance with the regulations in Subpart 2236 of Part 2230 of this chapter for the operation of motor vehicles for organized races, rallies, meets, endurance contests, and other motorized vehicular events. They are defining the type of events that require permits. It might well be that if you will want to take the language directly out of the regulations.

William Leavell: The key word used is "organized". This is something that is planned, to be executed, and if we can get together with these people . . .

Ron Sloan: It is very sensitive area.

J.R. Penny: Would you say that the wording that they have in the regulations on the operation of motor vehicles for organized races, rallies, meets, endurance contests, and other motorized vehicular events, would clarify this?

Howard Harris: It seems to be less interpretive to me than an organized organization.

Lawrence Cloyd: It is an organized group activity.

Howard Harris: Will the BLM restate this so that when it comes out everybody will be happy?

Page 10 - Technical Criteria - Non-use Areas - Item 1

Ron Sloan: On the non-use area, off-road use would not be endorsed where substantial mining activity would be interfered with. This pertains to an active claim rather than where claims are made but are not being worked, does it not?

William Leavell: There are areas of mining claims we do not have surface management.

J.R. Penny: Are we talking about active mining claims?

Howard Harris: The New Idria area is covered with mining claims.

J.R. Penny: The interpretation here carries a lot with it when you realize that in the California desert area we have 250,000 mining claims. Of this perhaps only 500 are valid. We can change the wording to indicate active substantial mining improvements and commercial mining activity.

Jack Edwards: The word "active" has got to be in there.

Page 11 - Item 2 - Mining Areas with Hazards

Alfred Kramm: This technical criteria is a practical application, and I would hope that unused mining areas would have their shafts and excavations filled in so they could be used in a program. I imagine that is beyond the scope of what you are talking about here. The practical application here is to keep people out of there so they don't fall down shafts. There are plenty areas that could be used but they are just full of shafts from abandoned mines, and I don't think those should be allowed to stand.

Howard Harris: They're a public nuisance just like a refrigerator.

Alfred Kramm: I know there is a legal question here but there should be some enabling act to allow these things to be closed up.

Lawrence Cloyd: There is such authority on the health and safety code books.

Beula Edmiston: It isn't healthy to fall into one.

J. R. Penny: Talking from a management standpoint we would not authorize development or encourage a use in one of these mine shaft areas that you are speaking of without giving the public protection, either by closing the area, posting, fencing, or something of that nature.

Page 11 - Technical Criteria - Non-use areas - Item 10 - Developed Projects

Ron Sloan: Does this refer to where you have an active lease?

William Leavell: This refers to developed land treatment or structural projects requiring protection.

Page 12 - Technical Criteria - Non-use Area - Item 16

Beula Edmiston: This protects sites such as historical, archaeological and paleontological, where damage would be "irreparable". Shouldn't that be "substantial"? Irreparable is a very finalized thing and I believe we should take action before it gets that far.

Ken Clarke: The word, irreparable, could be considered a much narrower term than substantial. You can have very little damage that is irreparable but when you say substantial, to me, this means that you can have a lot of damage there before you even recognize it as irreparable. So a slight amount of damage can be irreparable.

Beula Edmiston: From your point of definition, I thoroughly concur. Some may think, Oh, well, the area isn't entirely spoiled so if you only wipe out a little of it - so what. But as you interpret irreparable, I thoroughly concur. If that would be the interpretation with which the Bureau works, I would certainly concur.

Howard Harris: Suppose you have a historical village and a highway takes out say half the building, is that irreparable or is that substantial?

Ken Clarke: If we make changes, for example, change the ecology, it can be a slight change but be irreparably damaging.

Lawrence Cloyd: If you just say where damages occur, that ought to cover it.

Howard Harris: That would mean any damage, wouldn't it?

Lawrence Cloyd: That's right.

Howard Harris: All right, you want to say "where damage would occur".

Several: Yes.

Page 12 - Technical Criteria - Non-use Areas - Item 17 - Campgrounds

Howard Harris: This item refers to potential and existing camp and picnic grounds or other appropriate recreation developments. Potential, you know, covers a lot of ground. It seems to me it ought to be limited to "known" potential or something like that because I would dare say that a lot of potential ought to be known or planned.

Page 13 - Technical Criteria - Non-use Areas - Item 22

Ron Sloan: This refers to areas with no legal access. I assume you are referring to land locked parcels. There is a situation where you work out access with the private land owner and you would have access to public land. I look upon legal access from a sub-division standpoint, which means they dedicate it, it is just a question of requiring it. Perhaps Ken Clarke can tell us if it is legal access or not.

Ken Clarke: From a legal standpoint, such as legal access, it means the Bureau itself has obtained an easement of some sort which gives them an enforceable right, or contract or management agreement to access. It is a legally enforceable type of arrangement, not a verbal agreement.

Howard Harris: Suppose Ron wants to have an event and it goes across BLM land and in between is my ranch. He goes to the Bureau to get a permit. I suspect that you would require him to then get a written statement from me that I give permission to go thru for this event, so would that be legal access?

Ken Clarke: I certainly think that if we are to O.K. a plan to go thru private land, he better prove to us he has your permission.

Howard Harris: Is this what you mean?

Ken Clarke: I think that is what we better mean by this.

Ron Sloan: I'm thinking of a huge area of public land that is land locked by private property. Now I happen to own that piece of property, or someone else does and he has given us permission to cross his land to gain entrance to this land locked public parcel. However, the technical criteria statement in here does not consider this as legal access to the Bureau, which would mean that that area theoretically would be closed since there is no physical legal access.

Ken Clarke: But you are going to come to the Bureau with a plan for this event in this land locked parcel and you are also going to come with a contract or some sort of a binding agreement with a land owner that you may cross his land. This presents all kinds of problems, for example, are we going to have to require you to show us this contract that you have the right to cross the private land.

Ron Sloan: I don't know if you will or not. You are only concerned with the Bureau land.

Robert Springer: This is the problem we are faced with in every race around Red Rock Canyon.

J.R. Penny: Later on, we point out the need for written permission of private landowners before issuing a special use permit.

Ron Sloan: When we get to the permit section we can elaborate on that. What I'm saying is you may have a block of 10,000 acres of public land with no physical legal access. We may be able to obtain permission to get to that land locked parcel thru a canyon over private land. This statement in the criteria "areas with no legal access" would close that public land area for an event. So I am asking us to define what that statement means. As far as the permit procedures, that's another matter.

Howard Harris: With written permission, that would possibly be agreeable with the Bureau.

Ron Sloan: Let us assume the user had permission from the private land owner. BLM is responsible for the public land. What is the difference how the user gets on there if you have made arrangements with the private land owner. Isn't your jurisdiction solely on the public land?

H.F. McMurphy: I'd like to see this statement scratched completely. I am in that same situation. I have a ranch up in Berryessa and it has BLM land behind it and I don't see where this criteria even enters into the picture, because they are not going to get across that land, and that's it, it's that simple. The permit section covers this situation, that is why I say just scratch it.

Rex Morgan: In this particular connection, that Ron and some of them are concerned about, the matter can be reconciled by the stipulations on the permit.

Ron Sloan: Have it on the permit, but not on the criteria for making a non-use area.

H.F. McMurphy: Yes, not in the non-use area, but on the permit. This same thing will come up in the permit.

Ron Sloan: The problem is this - as a criteria, having no legal access automatically makes it a non-use area. If this statement were scratched like Mac was saying, the requirement for permits would take care of it, the legal access.

Lamar Johnston: This isn't exactly what Ron started out with. In Bob Springer's Bakersfield district there are thousands and thousands of acres and a good many sections of checkerboard land. You can't even issue a permit unless the private landowner will give you an easement to use it all which he won't do. Now, is there any way BLM can trade there blocks so you won't have that problem?

Ron Sloan: That is going to be the first prime example of a land exchange.

Howard Harris: In our own committee we are just going over the map now looking at land that can be retained and the land that can be disposed and/or used for blocking up parcels so it will bring things to where there will be access.

H.F. McMurphy: I would recommend this legal access statement be scratched.

Howard Harris: You are assuming you would still leave it in the permit section.

Ron Sloan: Yes, the permit section makes the area usable, instead of non-usable.

Howard Harris: The situation regarding the private lands is a very sore point and we would certainly want to have some protection some place.

Lamar Johnston: I don't give anybody a written right-of-way but I've got 640 acres and I let them go thru to get to the Government land. It looks like it would make me liable.

Ken Clarke: I don't think so. The only thing you are doing is saying that you are covering the situation where they ask for permission. Under the permit section I take it that if we did give them the privilege to go on it would be only after they had assured BLM that they did have the permission.

Rex Morgan: I could site a parallel situation, pertains to crossing permits for livestock where it is necessary to cross private land. It is stipulated on the permit any private, state or other lands are not covered, just the public land.

Howard Harris: Then we assume that will be included elsewhere.

H.F. McMurphy: Hold it - what about 24.

Howard Harris: Back to page 13.

Page 13 - Technical Criteria, Non-use Areas - Item 24 - Sanitary Standards

H.F. McMurphy: What does this mean?

William Leavell: Areas where sanitary standards which would result do not satisfy the requirements of health and welfare. We shouldn't allow an area to be opened if the resulting sanitation problem is such that we can't meet health and welfare requirements.

Ron Sloan: Any place that we race does not meet the health and welfare requirements. We take our own portable toilets to comply. But the area itself, I mean, these sanitary facilities, are not there until we take them. We don't leave them there - we go back and pick them up.

Howard Harris: It shouldn't be the area, then, it should be the activity.

H.F. McMurphy: This comes back to the same thing as getting into the permits. I suggest that this be scratched.

William Leavell: Here is the thing. The permit for organized events cover a lot of people but it doesn't cover a lot of other people, who are in an area on an individual basis.

Ron Sloan: What are we talking about, though, off-the-road vehicles and organized racing events - right now.

Craig Tocher: We are talking about areas of use or non-use and the criteria for establishing these areas. Many numbers of people come in families, or as individuals, but in total represent a large group of people on an area. They are not organized and there are no facilities to take care of the sanitation.

Ron Sloan: We provide it.

Craig Tocher: It is the area, rather than the organized events where there are problems.

Ron Sloan: When we submit a permit for an event there are no facilities there. It would be a health hazard beyond recognition. Will this statement here preclude us from an event?

Howard Harris: We should say where sanitary problems might result. Then you wouldn't open the area up. For example, in an area, if there is a water supply problem, well naturally you wouldn't open it up, but on the other hand if somebody was going to supply these facilities a different situation exists.

Ron Sloan: All I'm saying is that under a non-use criteria statement such as this, the whole desert would be a non-use area.

Howard Harris: In other words, instead of referring to the area we ought to talk about the actual problem that might exist. Can we rewrite that?

Jack Edwards: I suggest that it be stricken, because here is a situation that could happen. East of Barstow there is an unlimited area of BLM land. I, as an individual, plan to make a trip out there. The Manager says "no"; this is a closed area because there are no sanitary facilities out there.

Howard Harris: If you rewrote it to say that where a sanitary problem arose.

Jack Edwards: Too big a lever.

Howard Harris: No, I don't think so.

Jack Edwards: It can be done under permit.

Howard Harris: We're talking about groups and permits. It seems to me you ought to protect it from individuals, too.

Roger Mitchell: Of course, there are people here who would like to see no restrictions whatsoever.

Ron Sloan: No, not at all. I don't think you have one in the group.

Several: That is right.

Roger Mitchell: I stand corrected.

Howard Harris: Be that as it may, I think that we have to have restrictions on individuals as well as on groups when you are talking about sanitation. If you take the little stream on which I live where several people get their water supply, whether there is any permit or not, you certainly wouldn't want to turn anybody loose up there. It seems to me that it shouldn't be limited to permits.

Ron Sloan: I think it could stay in if it is just qualified. All I'm saying is that the total desert area would, as the statement now stands, be a non-use area. I would just take the word "areas" off.

Howard Harris: I would say where sanitary problems might result, or contamination of the water supply, or some such thing as that, whether it is an individual or a permit.

Page 13 - Technical Criteria - Non-use Areas - Item 23 - Damaged Areas

Tom Bates: I think this is rather redundant after we modify Item 16.

Howard Harris: Wouldn't these be special things? I would think that this item might refer to special soil types and things like that that didn't have special archaeological value.

Page 14 - Technical Criteria - Restricted Use Area - Definition

William Leavell: This relates limited restrictions to open-use areas and is added for clarity. It changes the first paragraph to read "Restricted Use - Criteria under this category, by necessity, is not always specific but rather the degree, type of mixture of restrictions often depends upon each situation", then we would add "to cover the open use areas, certain of these restrictions may apply to open use areas on a temporary or seasonal condition".

Page 14 - Technical Criteria - Restricted Use Area - Item 3 - Trails

H.F. McMurphy: No trail or cross country use will be authorized unless adequate cattleguards are provided. What does that mean?

William Leavell: This provides that wherever off-road use such as a trail goes thru a pasture fence, there would have to be a cattle guard.

Ron Sloan: What about some other physical means or by having an individual there at the fence. One man we have worked with allows us to take the fence apart for a few hours.

William Leavell: It is important in pasture fences to be sure that fence barriers are kept up and it hasn't worked out to just have a gate since it may be left open.

Craig Tocher: Would you want to put necessities, like controls, into the statement perhaps?

Howard Harris: In other words what you want is adequate protection. It doesn't make any difference whether it is an open gate, cattleguard, guard, or what.

Lamar Johnston: There is also the individual who is traveling the country who you don't see.

Alfred Kramm: If an area was posted, what would the posting say -"No ORV Use"? What does that mean? No trespassing - no use at all, or what?

Ron Sloan: For example, in restricted use areas it might say that you remain on the trails, and on established roadways.

Howard Harris: I would think it would depend on what the restrictions were. In some areas the signs will say off-road vehicle use is restricted to paved roads or only foot traffic perhaps.

Page 15 - Technical Criteria - Restricted Use Areas - Items 4, 6

Lawrence Cloyd: I ask that the term "high value wildlife habitat areas" be included in these statements.

Page 16 - Technical Criteria - Restricted Use Areas - Item 13 - Waterbarred Skid Trails

H.F. McMurphy: How about these waterbarred skid roads?

William Leavell: This is where they put a water diversion across the road to pick up water running along one side and transport it to the other side of the road to drain off down the country side. At times in these forest areas when they have timber sales going on you can raise a lot of problems with use on these roads.

H.F. McMurphy: I think you already have signs for nonuse. If you have a road posted then what is the purpose of the water barrier criteria? A sign is all there has to be. In the north this hits us pretty heavy because almost all your fire breaks and any work that is being done has a water barrier. A water barrier is dirt that is being pushed ahead of a bulldozer; and if it is just the opposite they scoop it out, you can't hurt it. A water barrier which is scooped up, if you run over the top of it and knock it down, it is no longer of any value. Is this water barrier criteria put here just to close the road?

Ron Sloan: This is restricted use, not non-use.

H.F. McMurphy: This is right. This is restricted use, but it will be non-use - same thing. You have signs to close the road already, so why have that criteria in there at all?

J.R. Penny: Water barriers don't necessarily close the road; that is to control the water.

H.F. McMurphy: But you have here that use will not be allowed on waterbarred skid roads. This is the only type road we have in the north. All of them are that way. The Cow Mt. area is completely loaded with this type of road and this continues thru the whole area. It says use will not be allowed. That means we cannot use any of your roads up there. What is the sense in having the road in the first place?

Ron Sloan: But under the restricted use areas, under restricted use you still could use these if you meet certain requirements.

H.F. McMurphy: It could be posted as a restricted area. This statement could be left out completely.

Ron Sloan: Now then, a water barrier should be the prime concern. If you are going to damage it, it should be the prime concern.

J.R. Penny: Would you say then that we should add the words when posted or something like that?

Howard Harris: We have a forest road thru our area and they go thru and put up these little mounds, but they are so small if one motorcycle went thru we wouldn't have any. On the other hand, when I make them on my land I go over them with a bulldozer and get them up 3 feet high. It depends upon the local condition.

J.R. Penny: Want to strike the word will and put may in there. Will that do it?

Howard Harris: Yes.

Ron Sloan: Add "when posted".

H.F. McMurphy: That's it - when posted.

Page 16 - Technical Criteria - Restricted Use Areas - Item 15 - Camping

H.F. McMurphy: It says camping should be on developed campsites or in designated areas only, during the fire season. What about dry camps? A lot of people have self-contained camping equipment in their campers. Is this referring to a fire pit or something in this line? You can't have a fire permit, so that's why you have it in your pickup or trailer or whatever. It makes no difference where you camp. This statement limits you to a developed campsite or in a designated area.

Ron Sloan: During the fire season.

H.F. McMurphy: That is right.

Craig Tocher: That was implied to mean that when there is an area where there is some danger due to fire condition, we wouldn't know where people were if we allowed indiscriminate use of the people to go wherever they wanted to. We couldn't contact them to get them out of there. If we know of certain areas where we have allowed people to be under certain hazardous fire conditions we could get them out of there in time.

H.F. McMurphy: That isn't the way it reads.

Jack Edwards: I think it should read open camp fire - open fires.

George Strauch: I think if you put a comma after only, I think it would clarify it.

Lamar Johnston: The Forest Service has a 29 mile road in my country and they have the same problem. The first 2 years they allowed camping where you want. Now you don't camp anywhere. You can't even build a dry camp. You have to leave there and go to a campground. They have 2 acre areas, and they won't even let you park in the middle of them. Let's make sure we don't get that situation here.

Howard Harris: What do you suggest?

Lamar Johnston: Well, if you have no danger of fire I don't see any problem in camping in the back of your pickup, with a dry camp.

H.F. McMurphy: You don't even have to have a fire permit for that. As long as that Coleman stove or lantern and all that stuff is in the pickup or trailer you don't have to get a fire permit.

J.R. Penny: Would this help any if you started out the sentence with "in high fire hazard areas"?

Beula Edmiston: Are we against open fires or are we also against people?

H.F. McMurphy: Just like Panoche. Panoche has been a no camping area for a long, long time as far as fire permits are concerned. Just as down in the desert it may not be a designated campground. He gets sanitary facilities but it is a high fire season and he can't camp down there. He has to go to a designated campground. You may not have one 150 miles from there.

Jack Edwards: What if you haven't any designated areas? Are you going to designate these areas?

Howard Harris: That is what we do in our place.

Jack Edwards: We are talking about 15 million acres.

Howard Harris: What do you recommend?

Jack Edwards: I recommend that it be stricken and use the word open fire in fire season.

H.F. McMurphy: Yes, that is good. I'll buy that.

Al Schiavon: Jack, do I interpret you correctly that you are opposed to having designated areas for campsites?

Jack Edwards: No. You can't possibly maintain enough designated campgrounds in the Mojave Desert alone.

Howard Harris: Is that a high fire hazard area?

Jack Edwards: Some places are.

Lawrence Cloyd: A designated area might take in several thousand acres where campfires are allowed.

H.F. McMurphy: Mr. Chairman, first, we have no jurisdiction over this because it is a California forestry fire situation. There is a California law that is already existing. They have always set the fire areas up and change the fire season according to the time it comes along. All we could do here is say that there could be no open fires in high fire season.

William Leavell: How about in high fire hazard areas during fire season,open campfires be restricted to developed sites or a designated area?

H.F. McMurphy: That's right.

Don Halsey: We had a large fire in a high fire hazard area by a camper with a Coleman stove.

H.F. McMurphy: That's an open fire.

J.R. Penny: Then you would say open fire includes a Coleman stove.

H.F. McMurphy: A fire permit is required for any type of fire outside of your vehicle. In other words, if you have a Coleman stove, a gasoline heater or any type of fire whatsoever outside your vehicle, you have to have a permit for it.

Howard Harris: O.K. now, when you are writing it up keep all this in mind.

Page 19 - Technical Criteria - Restricted Use Areas - Item 31

Ron Sloan: "Permits for cross country use will not be knowledgeably issued in areas containing significant hazards such as mine shafts, pits and debris. Use in these areas will be confined to trails". There are thousands of hazards all over the place. In cross-country events we line these, and danger mark them and put ribbon around them. So just because a mine shaft is there, this does not create a significant hazard on a cross-country event. That's why we scout the course in advance.

Howard Harris: What about marked routes?

Ron Sloan: We mark them.

J.R. Penny: Then you would want to add on to the last sentence, after trails, the words "marked routes".

Howard Harris: Fine.

Page 20 - Definitions - Off-Road Vehicle Use

Howard Harris: I wonder if everybody agreed with the draft definition of off-road vehicle use, which I did not.

William Leavell: Let me read you another. "Off-the-road vehicle use for the purpose of these guidelines, may be defined as the use made by any motorized vehicle traveling off an established road". Now, in Forest Service brochures, they refer to established roads when they are talking about closed areas, restricted areas and so forth. Jack, this 4-wheel drive brochure you passed around, asks your members to conform to the National Park Service requirements which relate to established roads. So while the problem here may be a definition of established road, perhaps we might get around that by adding "as shown on BLM maps" to the above definition.

Howard Harris: Or you might say on areas where you are not required to have a regular motor vehicle license.

Ron Sloan: This one that you just read isn't bad.

J.R. Penny: How about helping out defining established roads in parenthesis as those identified by an official BLM map.

Alfred Kramm: I think there are a lot of roads that just are not on the map, and which are definitely used for ingress and egress to an area.

Ron Sloan: After a year, I certainly think we know what an off-road vehicle is. We have all been sitting here talking about it.

J.R. Penny: When you say established road, you mean a track?

Alfred Kramm: Well, I'm talking about roads that go into an area where people like to go. A lot of those are not on maps.

H.F. McMurphy: Anything that gets off the road is an off-road vehicle. I'm satisfied with it.

Howard Harris: O.K. if everybody is satisfied, lets go to the next one.

Page 20 - Definitions - Concentrated Use Areas

William Leavell: We reworded this concentrated use area definition to read "Areas which are intensively used by off-road vehicles and which are identifiable on the ground areas, varying in acreage from one to several thousand acres, where the terrain, soil conditions, geographical and geological characteristics either singly or in combination have lent themselves favorably to off-road vehicle use pursuits. Use in this category has resulted in extensive temporary or permanent alteration of the surface and/or vegetation characteristics of the area". (No comments).

Page 21 - Inventory

William Leavell: We have a suggestion from the sub-committee report for paragraphs 2 and 3, as follows: It is important to inventory concentrated use areas, but it is of equal importance to inventory those areas in need of protection in order to prevent damage to the area. Existing concentrated use areas already have experienced deterioration of other resource values and continued use may not have as serious effect to other resources as would occur in an area not now experiencing concentrated use. Such use might develop while the inventory was being done under the first priority.

So we reworded it to say, "Of immediate importance is the need to inventory concentrated use areas and other areas subject to use and requiring protection from damage. Initially this would be a location inventory to be shown on recreation overlays. Succeeding efforts should be spent in gathering the information within these areas that is necessary for planning purposes and to permit or prevent authorization of off-road vehicle occurrences". Then we take out the first 3 words in the 3rd paragraph "Second priority should".

Howard Harris: Any comments on that? All right. Page 23.

Tom Bates: On page 21, the last paragraph, "last priority will be given to inventory efforts in the remaining areas". Take off that term "last priority".

Howard Harris: Yes, we want to say "attention will be given also to these other areas". We want to be consistent.

ENFORCEMENT RESOLUTION

Howard Harris: At this point, let us take up the enforcement resolution we asked Ken Clarke to help us with this morning. Ken, do you have a resolution ready?

Ken Clarke: I have this partially marked up, Mr. Chairman. We have attempted to adapt one which was used by the California State Multiple Use Advisory Board, although as I understand the request this morning, it was not as extensive as the resolution used by that Board. It was resolved that the ORVAC urges the Director of the BLM and Secretary of Interior to seek immediate legislation such as the following for the enforcement of regulations made by the Secretary. Now the group wants to broaden the resolution to explain in detail the reason the organization believes the enforcement is necessary. I will be glad to draft it in that manner.

Jack Edwards: How about the funding of such a project?

Howard Harris: Would you like to include funding in it?

Jack Edwards: I am asking the question.

J.R. Penny: I believe the funding question is a different one. This directs itself right to the point of enforcement needs. Congressman Baring has requested this as a legislative draft for proposed introduction. The question of funding enters into a whole new area of consideration.

Ken Clarke: Copies of the resolution are being handed out to all of you. If there are any suggestions or you feel we should change it before it is finally prepared for your chairman's taking to Washington with him, we should do so at this time. We have added the resolution part in the first few sentences to the draft bill prepared for Congressman Baring. Perhaps it might be well, if acceptable to the group, to have it signed by the various members of the group showing your affiliations so that those who view it might look at it with the understanding of the scope of the people represented.

H.F. McMurphy: If it is endorsed by the group, can't we send out the slips here before we endorse it? The names and who they represent - wouldn't that be the easiest?

Ken Clarke: However the chairman wants to handle it.

Howard Harris: What do you recommend?

George Strauch: I have a question. My organization is a non-profit organization and our legal council advises me that we are not supposed to do this. So I don't want to sign for that reason. We might jeopardize our non-profit status.

Craig Tocher: Can you sign it as a chairman of the group and then have a list of members of the council attached to the resolution.

George Strauch: You could sign it; you could mention my name.

Beula Edmiston: It was my understanding that a non-profit group can declare its feeling, but we cannot lobby.

George Strauch: As an individual you can endorse it, you can make statements on legislation.

Ken Clarke: This is a conflict area, of course, and I wouldn't attempt to try to advise individual groups but I think here we have a situation. You are an advisory group to a governmental body and this group, composed of various members of other organizations, has come to some sort of conclusion and I would see no reason why the ORVAC group couldn't sign it, or endorse it and then supply a list of those people who compose this group.

George Strauch: Couldn't we make a statement to Howard, but we would not make a statement to the legislature.

Ken Clarke: It is just an endorsement by the group and then a list of the names of the group so that interested parties have some sort of idea that it has been endorsed by a group that comes from a wide range of particular interests.

Howard Harris: It seems to me then that passing this resolution would be an endorsement by this group. A motion would be in order to endorse this resolution. (Motion was made and seconded). Any discussion? All in favor say aye. Say no.

Jack Edwards: No.

Howard Harris: The minutes will show that Jack Edwards votes No. Motion carried. (Resolution is attached as Enclosure No. 4.)

Jack Edwards: I'll tell you the reason for it. I can't sign anything like this without the O.K. from the organization I represent.

Ron Sloan: But we have already recommended that we have enforcement on this, haven't we?

George Strauch: Frankly, I would like to go on record as No. Still there would be enough votes here to carry.

Ron Sloan: I would say then do it by the ORVAC council. Sign your name to it. You want a uniform vote behind you.

H.F. McMurphy: We have passed the resolution. ORVAC has accepted it. All you have to do is indicate what ORVAC is and it is just that simple. We are a 15 man committee.

Howard Harris: All right.

PROPOSED PROCEDURES FOR SPORTS EVENTS, RACES & RALLIES

DEL PRICE
Service Center, Denver

Howard Harris: Let's continue with the procedures.

William Leavell: Del Price of the Denver Service Center has been working on the Bureau-wide procedures for all kinds of sports events, races and rallies and he will cover the subject from that general viewpoint. Craig Tocher will present pages 25 - 31 of the draft procedures we have been covering and this will contain the specific methods proposed for off-road vehicles for California.

Howard Harris: I've asked Del to hold it down to 10 minutes, since we have airline schedules to meet.

Del Price: Basically, I plan on talking about the same procedures we have been discussing the past 2 hours except these are on the Bureau-wide basis. Lets hit the highlights, the problem areas that you people would like to focus on.

Howard Harris: What is the timing for your procedures? Do we have to decide all this today or can we take this home?

Ron Sloan: This is going to go very quickly.

Howard Harris: Can't we take this home with us and study it like we did the other draft?

Ron Sloan: Well, we received them in the mail, they came with the agenda. Can we start on page 2, Del?

Page .02B - 1st Paragraph

Ron Sloan: This statement is not serious, but the first section indicates these are new uses, important or not, they are not new and have been in for about 30 years.

Beula Edmiston: With regard to the statement: "These new uses provide new management opportunities but also present some conflicts with on-going multiple use management programs. Some of the conflicts, and so forth", I would like to see preservation of natural values included and added to on-going multiple use right at the very beginning. Multiple use management does not necessarily include preservation of natural values.

Del Price: Yes, it does. It's part of the multiple use program.

Beula Edmiston: If it is understood in that context, I have no complaint.

Del Price: It is understood by the people that this is written to. It's written to the District Managers.

Beula Edmiston: Fine.

Del Price: Any comments on page .05A? I am going by that number in the upper right hand corner of each page. Page .1? Page .2?

Page .2

Ron Sloan: "When the proposed use would create air, water, or noise pollution which is beyond acceptable standards". Are we knit-picking? Some of these events obviously are beyond the acceptable noise standard. It is quite noisy.

Del Price: It would depend on where it was.

Ron Sloan: O.K., that is fine. Now the statement: "When the application is not submitted in time for adequate review, investigation, and processing". We have the feature of time - what is adequate time? In some cases the Bureau wrote that some permits could be issued the same day. They also mention periods of 6 months and 4 months lead time. I'm not saying we solidify this point but the fact that time is nebulous here indicates we don't know what is going on.

Del Price: We struggled with this for quite a while trying to come up with something definite. It is almost impossible to put a time increment on this.

Ron Sloan: It's 30 - 60 days for our end of it.

Del Price: In smaller groups it may be less. It's difficult to put a time increment on it. That's why we put it in that type of verbiage.

Del Price: It will have to be judged on the basis of how complex the event is.

Ron Sloan: I would hate to be denied an application because I filed it 6 months in advance and the Bureau felt it was inadequate time. We are looking at it in good faith but when you are looking for a hooker, a statement like that can be used very easily.

Del Price: We have tried to give some explanation on this on Page 1., using the statement: "The success of this permit program will depend heavily on the cooperation of the recreation users. Do not penalize cooperating groups with time consuming permit processing procedures, unnecessary bonding requirements, and excessive rental charges".

Howard Harris: The administration will take care of that.

Ron Sloan: Hopefully.

Ken Clarke: On paragraph .3 Stipulations, I have read this many times and I simply can't understand the intent of .3. Are you trying to establish the success of the event?

Ron Sloan: No. Isn't Del saying not to stipulate in the performance standards?

Ken Clarke: It says each permit shall contain sufficient stipulations to insure that the event will be successfully carried out.

Ron Sloan: That is without a lot of hassle with the Bureau.

Del Price: I look at the permit as having dual function. It has real value to the permittee as well as to the Bureau. We are interested in seeing that the permittee actually does have a successful event. We are interested in helping him set up a situation where this can occur.

Ken Clarke: I wouldn't think that the Bureau really would want to take on the responsibilities, to insure the success, financially, or other wise, of any event.

Del Price: I didn't mean that.

Roger Mitchell: Why don't we just take the word "successfully" out of there. I don't think it would matter at all, would it?

Beula Edmiston: Orderly carried out - would that take care of it?

Del Price: This may be. This word "orderly" might be better.

Ken Clarke: I also have some problem with what"fully coordinated" means. Do we mean coordinated - fully coordinated? What do you mean?

Del Price: You prefer we scratch the word "fully"?

Page .4 Bonds

Ron Sloan: There are several problems with Bonds. Bonds are difficult to obtain, especially non-profit organizations. I realize you have here "may be required". No matter how good you are, there are very few bonding companies willing to deal with non-profit organizations for a bond that has a penalty clause. For example, a $5,000 bond might cost very little to obtain - $20 or $25 premium but they don't want to go on the hook with a group of non-profit people. The bond might be almost an impossibility to obtain. So if you could have an alternate method, a letter of responsibility, or letter of indemnification or something of that nature to serve as an alternate along with the bond.

Del Price: That is what we tried to incorporate into the second sentence. "Priority should be given to achieving this goal by other less costly means if feasible".

Ken Clarke: How about the cash bond?

Ron Sloan: Settle on $200 because that is all we have at the start of the races each year. That would be fine.

Del Price: That was the intent of the 2nd sentence. We would hope to not have to use a bond at all, if possible.

Ron Sloan: This is fine. It's easy to say the word "bond", but many people don't go to the effort to explore the bonding companies, insurance companies and so forth. Many contractors can't even get a job because they can't get a bond. Just the word, bond, doesn't often times offer much protection.

Lamar Johnston: It costs $10 just to get a bond for a qualified trap shoot. Some won't go for it, you have a hard time finding somebody who will stick his neck out for $10.

Del Price: We recognized this when we drafted this. We hesitate to try to spell out all types of methods, though.

Ron Sloan: I don't care about the cost so much. It is just another method. Many cities will use a letter of credit or some other method.

Del Price: Maybe we should cross out the word "less costly".

Ron Sloan: Good. We are consistent with the word "may" here - an applicant may be required.

A little further down - "When the past history of the applicant or similar type of applicant has demonstrated an inability to clean up litter, and/or make restitution for damage incurred during similar events" - now we have a problem in our area. The AMA District 37 events require everything to be handled. However, there are some wild cat groups that just go out and advertise and put on an event that might draw the same attendance as ours. When that race is over they are gone. It would be a similar event, but we would not want to have to post a bond, based on experience with that other group.

J.R. Penny: Is there something in here that I have missed which requires these people to make an application?

Ron Sloan: Your rules and regulations require that.

J. R. Penny: Well, I see the word "may" in here.

Ron Sloan: "May" is for the bond.

J. R. Penny: "May"is also in here on issuing permits. You "may" issue a permit or you "may" not.

Ron Sloan: I just put a line under the $10 minimum rental charge. It doesn't matter what the price is - $10 or $15, or what, but you may get into some situations there in the various fee requirements.

Del Price: These are minimum fees - we can't change unless the regulations are changed.

Page .5

Ron Sloan: .5, BLM 9300, I'd like to see what that is.

Del Price: This is a Bureau manual release on Appraisal Procedures.

Ron Sloan: I'm also concerned that there is nothing in here as yet regarding the type of recourse if your application is denied or rejected or refused. A district office might be deeply entrenched with a cattlemen's association or a sheepherder's association that is adverse to motorcycles. The period for appeal might be too late for the day of the event. It is just that one area that makes me a little nervous. If I come in 60 days in advance it sounds like a reasonable time. And it took 30 days or 2 weeks or 3 weeks to deny the application, then under the procedure my appeal is running close to the day of the event. We have to scout an area 2 to 3 months in advance and we can run short of time.

J.R. Penny: That is why we have talked about having applications filed 6 months or so ahead.

Ron Sloan: 6 months or a year - we know we have an event but we may not know where.

J.R. Penny: You set up your calendar -

Ron Sloan: Right, but we don't set up the area.

J.R. Penny: This is a long time in advance, but setting up a calendar of events a full year ahead may be a prelude of the future.

Ron Sloan: That we can handle. We can't say the exact area at the beginning of the year.

J.R. Penny: I don't see it mentioned here that in order to have an event a person must make an application. It should be so stated.

Page 1. Handling Applications

Ron Sloan: You have the statement: "Most of the non-commercial type events are of such a temporary nature that a permit should be issued the same day". Our races are not commercial.

Del Price: We have put this last sentence in here to reflect one of our biggest problem areas, working with the small groups. We have to set up a procedural system where we can handle these permits or applications for permits on a very expeditious basis. Unless we do, we may defeat the whole system. Particularly when you consider we have such little enforcement. We are going to have to work hard to get the cooperation of the user groups in coming into the office and working with us. If we don't process these applications in a very brief time period, then the groups are not going to come to us.

J.R. Penny: I'm concerned though, that we don't give them just a stamped permit.

Beula Edmiston: It would bother me. I appreciate the need of cooperation, expeditious use, but there are many things to be considered.

Del Price: I appreciate your view. We were looking at the other alternative. If you take people through a very detailed process the next time you may not have an application. Is it better to know that there is something going on out there and better to have a limited amount of control than no control at all?

J.R. Penny: There is not going to be very many events that are not involved with private lands and we are not going to grant a permit with that having not been cleared up. If you can't do it that next day, you can't do it.

Ron Sloan: Well, hopefully, we won't be on private land.

J.R. Penny: We are not going to grant permits that invite trespass on private land. If private lands are involved, if it takes a week to get the permit, to get the authorization for you people to go on private lands, this is what is going to be required. When a statement is put this way this means that we are going to get out and just issue permits. If we are going to manage, we can't do it that way. The criteria we have here were put in for a purpose. We should issue permits and go all out to the extent that we possibly can, but at the same time we have got to get applications before us in time to take a proper management course of action consistent with the people we are working with.

Ron Sloan: The statement says should be - not shall.

J.R. Penny: I'm considering what was said - that we've got to get going because if we don't issue permits immediately, the users are going to go anyway. Now, I can't quite agree to that.

Del Price: We've stated earlier that when an application is not submitted in time for adequate review and investigation and processing, it may be rejected.

Lawrence Cloyd: You could take off that last sentence. Really you have explained it. You have told them not to penalize cooperative groups with time consuming processing procedures. What you are telling them is to move this permit as fast as possible.

Ron Sloan: Yes, but where we have an event and it is feasible to get the permit the same day, you should do it, and it might very well be feasible.

Lawrence Cloyd: But if you take off this last sentence you are not stopping them from doing this. They can do it in one day or they can do it in one week.

Ron Sloan: You have got to lead them a little bit, though. Encourage them to give it out the same day.

Robert Springer: The only time that we could ever issue a permit in one day is if there has been a race over the area before and we know what is there.

J.R. Penny: But most of them are not the same way. They are changed around.

Robert Springer: Presently, the only place that we sometimes issue permits for certain special uses the same day is the Alabama Hills. We know what the land pattern is. We know what is there. In other areas we can never get a look at the ground that fast unless there has been a previous permit. This kind of approach will put a lot of pressure on us. If you send it in the mail, we wouldn't receive it until about 10:00 a.m., for example.

Del Price: I think the various alternatives have been discussed and you have given me the information I need.

Ron Sloan: Del, I would like to give you one more input to take back with you. We have applied for one permit at the Bakersfield Office. It caused so much of a hassle that we have not applied for any since the early part of the year.

Lamar Johnston: I think everybody has a lot at stake. You have, and the Bureau sure has, and I don't think we want to assume anything. You've got to know whether you've got an easement or right-of-way before you start.

Ron Sloan: If that is the case then we should not take good faith on anything. We should say apply 30 days or 60 days in advance. It will be acted on in X number of days and so forth. I'm willing to take it on good faith, and run with it. But if we have to tie it down that detailed, then I think we should have a definite time element here because it is too nebulous otherwise.

I wasn't just looking at your one day action for us. I was looking at it more for Beula or Roger, that has an organized group looking at flowers, or going up in the hills, or whatever, that may require a permit.

Roger Mitchell: Well, under the definition, I don't think so.

Ron Sloan: Say it is an organized group - caravan - and they might need a permit. From that standpoint I don't think they should have to wait a day.

J.R. Penny: My concern about this is developing an orderly process.

Ron Sloan: Agreed.

J.R. Penny: And we have been trying here to get these people informed and educated to come in in time to where we can give a logical consideration to their application. I am bothered with the assumption that we can give logical attention to a permit in one day. I wouldn't want this to give the groups the idea that this is what they can expect since it is not so. It would be the most unusual type of situation where we could give them this type of action. In our state we are going to try to encourage these people to come in with a logical planned approach to things, like we have talked about, Ron, when you are setting up your schedules you are going to have to understand that it takes time to get these things thru. If we don't have the time, we are not going to allow a permit.

Ron Sloan: Russ, if you could do it in one day, would you do it?

J.R. Penny: Oh, absolutely. My point is, it is the unusual situation where we could do it in a day. Most times it is the other way.

Roger Mitchell: How many people in each district office are authorized to issue permits?

J.R. Penny: The District Manager, or others who are delegated the authority.

Howard Harris: It appears that this last sentence we have been talking over may not be a true statement.

Lawrence Cloyd: Ordinarily, how long would it take to process a permit?

Robert Springer: We usually can do it in about 3 weeks. We often have to send to Riverside for land status check. I am speaking now of a 5 year permit.

J.R. Penny: But along with this, though, being sure that the person has the right to cross a type of land, and so forth, these are the things that take time.

Howard Harris: Well, Del, with all this good advice, we hope that you will really come out with something.

All right, Craig, will you take up the draft procedures again, starting on Page 25, where they cover this subject.

Page 25 - Special Use Permit Procedures

Craig Tocher: There was concern on our definition of organized events and rallies. The Sub-committee of Jack Edwards developed a proposed definition which could be substituted for the one we have here on the bottom of Page 25. Starting in the middle of page 25 and ending on page 26. It reads as follows: That the words, ride, rally, and campout be changed to read: races, rallies and special events, to be defined as:

1. Race - Competitive event where a winner is determined for prizes, trophies, or awards.

2. Rally - Competitive or non-competitive event held for organized groups, or public participation.

3. Special Event - Any event where the public is invited to participate or more than one organized group or club is invited to attend.

Jack Edwards: I proposed this with the authority of our committee. For consistency, would it be better if special events were changed to read sports events? This would conform to the Federal Register and also to most of your literature - races, rallies and sports events.

Craig Tocher: We have other groups like the rockhounds wanting to get together.

Alfred Kramm: Would this include a rockhound trip?

Craig Tocher: Right.

Alfred Kramm: Any rockhound trip?

Craig Tocher: Any organized event like this where they might want to get together - they might want to go on a vegetative trip. It would include any special event like this.

Alfred Kramm: We go out once a month. Do we have to get a permit each time?

George Strauch: If you were going to take your vehicles off-the-road.

Craig Tocher: Right.

H.F. McMurphy: Aren't we on No. 3? It doesn't say one group, it says more than one group or club. Then they have to have a permit. If it is only one group you do not have to have a permit.

Craig Tocher: If it is off-the-road it is something that we are trying to work with some organization on.

Beula Edmiston: Is it your intent it is to be a group or more than one group?

Howard Harris: It reads more than one but I think he meant one or more.

Beula Edmiston: Right. I would feel it would be much more general to have any group.

Lawrence Cloyd: It is any group or combined group.

Howard Harris: Maybe you ought to have a number of people. How about 3 people? Will you let 3 people go out?

Craig Tocher: That depends on where they go.

Alfred Kramm: Ordinarily, a group like ours will stick to the roads, but you may not always stick to the roads. I don't know - we go up to 12 times a year.

George Strauch: I think Al will agree with me that it is not our organized groups of rockhounds, individual or small groups of people who go out and take too much material and do other abuses. They should be controlled as well as our organized groups. That is the way the motorcycle people feel.

Howard Harris: That's right. I've noticed that up on my ranch when somebody comes as a group, they are always better behaved. I think we are raising the same question again - organized groups are the best behaved.

Craig Tocher: We can reword that statement. I think the intent is with the vehicle using groups who are out there participating on the public lands just with the use of their vehicle. But we are also talking about the vehicles which take you there for another type of event but aren't being used in the event. They are the means of getting you to an area where you can do something else. This still has an impact on the land and management is required. We want to know where these groups are going to be using public land so if someone comes in to schedule an event we would be able to say "well, the rockhounds are going to be out there and we suggest another place." If we don't know where you are going to be, we don't have the necessary management information.

H.F. McMurphy: Does this go back to the $10 permit again?

Craig Tocher: Again, it is discretionary whether we issue, or whether we request, or require an application and permit.

Jack Edwards: It is interpretation more than anything. The reason this was labeled as a special event was because of trailer clubs which occasionally number as many as 1,000. Camper groups number up into several hundred. We felt this would create an impact on the land. Therefore, a permit should be required.

Howard Harris: In other words, you are thinking as the number increases, you will have more need for permits.

Jack Edwards: Somewhat, yes.

George Strauch: I feel the concern of this group is with off-road vehicle use. I have felt all along there is going to come a time when a lot of other types of organizations are going to get involved in having to have permits to use public land. This is almost 100% of the group that I represent. And Al has the same thing. I am talking as a whole. For example, these caravans - you wouldn't say they would be interested in off-road travel. I think there is going to be a lot of situations. There will probably be some other advisory council that will have to look into that because there will be a multitude of problems.

William Leavell: We talked about these definitions before and we went back to the regulations to see what was required and should be required. We found a definition there which Del Price has applied in his presentation.

Alfred Kramm: If we were going to make it mandatory to have a permit for camper groups or rockhound groups or any of these other groups, and we had to pay a $10 fee I think it would destroy the idea of a club's growth. It would also have the effect of canceling out a lot of our effort in communicating with the people. The result would be that there would be no point in having an organized group. I think this would make for a back set in communication. It would really do more harm than good, because as it is now, there is traveling in a group. Some off-road vehicles travel with us and there is some off-road use on a minor basis in the group. If they have to pay a fee, get a permit, they will become informal, get out of the group, and we will lose a lot. We are depending on these groups for cooperation and to educate others and to lead the way in land management.

Jack Edwards: But still, it says the District Manager may or may not require a permit.

Alfred Kramm: But you have to apply each time.

H.F. McMurphy: By telephone or any way at all. That is all that would be necessary for the applicant. Then they could find out if it was necessary to go any further.

Alfred Kramm: Very often, we think of our plans the last minute. You know, weather, or any old thing might cause us to change and go some place else.

Howard Harris: If you are a manager in the area and you are trying to give permission for people to go there, wouldn't it be nice to know who was coming and going? On the other hand, if you get the thing so administratively top heavy with the number of permits required, you discourage the very activity that needs to be accomplished. The District Managers will be doing nothing but paper work.

Craig Tocher: We'll review this No. 3 Statement and define it for events. For example, contact could be made with the District to be determined whether an application is required for a particular group. The Manager would still like to know where you are going to be.

Howard Harris: It would be to his advantage to let you know.

Craig Tocher: Right. We might have something scheduled in the area.

George Strauch: Couldn't this No. 3 be called Special Off-Road Vehicle Events. The people that we represent don't necessarily have off-road vehicles.

H.F. McMurphy: I was thinking the special event. I think they would be small groups. They would telephone in and find out if it was necessary to have a permit. And they would notify the Manager where they were going, when they were going, how many would be there, and this sort of thing. But they would not necessarily have to have a permit.

This would go for a rockhound group taking their cycles and riding back into the hills. This would go for the family group or those that are going out on their motorcycles or jeep. Any group on BLM land must have obtained permission to be there. Which doesn't mean a permit necessarily. Two clubs I know of would rather use other ground than pay a $10 permit. There is other ground available and they would use it. A lot of clubs will not.

Jack Edwards: Are there any comments to what the sub-committee recommended?

Craig Tocher: The sub-committee suggests that permits be required in only three categories of use, with one exception. A permit should be required of anyone entering an area not suited for his particular usage. The committee also suggests that for all other user groups of Bureau of Land Management land, that a telephoned "Message of Intent" be given the District Office within the area that is to be visited. Upon receipt of a "Message of Intent" the District Office should ask the following questions and record them on appropriate forms:

1. What area do you intend to use?

2. How long do you intend to stay?

3. How many vehicles will you use?

4. What type of vehicle will you use?

5. How many people will there be including children?

6. Name and address of person in charge and if affiliated with an organized group.

This "Message of Intent" will furnish important date to the Bureau of Land Management and also give the District Office a chance to inform the intended visitor as to closures, hazards, or any other pertinent information to the area the visitor wishes to visit. The committee also feels that six months prior notice on permit application is too long.

Howard Harris: I'm sure with all that good advice the Bureau can write that so that it will be more acceptable.

Jack Edwards: I had a couple of personal comments on the report. One, in the event of a disaster or search or rescue mission regardless of the number of people involved, no permit should be required. Two, a person making an application for permit 6 months in advance should have an alternate date for that. Weather conditions, fire hazards, and other factors can't be determined this far in advance. If the BLM insists on a permit basis system we should insist that individual permits be issued on a yearly basis for all BLM land not under closure and that they be made readily and easily available and possibly mailed to individuals upon application. Those are my personal opinions.

Page 26 - Timing Schedule - 4th Paragraph

H.F. McMurphy: I would like to change that 6 months to 4 months lead time for applications. That is all I can see to change in the whole bit.

Page 28 - Special Use Form

H.F. McMurphy: You duplicated items 5 and 6.

Craig Tocher: In item 5 the intent was to have one map on a very small scale like a road map just showing general location of the area to the State in case it was a big event where you had 2 or 3 thousand people meeting. We could then alert the highway patrol and if they wanted to take necessary action on directing traffic they could. No. 6 would be a large scale map of the immediate area of the event. This is the reason for two different size maps.

H.F. McMurphy: If an event was put on it has to be routed anyway, so there is no problem.

Craig Tocher: For example, if an event was held in the Imperial Sand Dunes - your route thru San Diego would be on the Interstate such and such.

H.F. McMurphy: If you are going to show that on a highway type map you are not too much interested in what is going to happen above Los Angeles. It is going to be in that same area. I would think that you would want to know the route that they are going to use on public ground. This I'll go along with.

Jack Edwards: They might be coming from Arizona.

H.F. McMurphy: This is right. They may be using Highway 99 straight thru - we don't know. They can come from either end.

J.R. Penny: One of the intents in the use of the map was to use the manpower of the applicants in developing the routes and locations and in the enforcement and such things as that. We just don't have the manpower.

H.F. McMurphy: You are not going to put a man over in Arizona and tell them to go to the Sand Dunes. And the man who is putting this on will have to have that man there. Not you. So your map should be concerned with when this comes up to your lands. So one of these maps could be eliminated.

Howard Harris: Mac's point is that the Bureau shouldn't be concerned on how the users get to these areas.

H.F. McMurphy: That's right.

J.R. Penny: I was just referring to the whole procedure here.

Alfred Kramm: I want to ask a question. Was it the intent that a $10 fee would be charged to people for permits, all permits? Now we just got thru staging a cleanup project in Calico and other places in California. There were many people there. If we had to pay a fee to do a public service, I think it would add a insult to the cost that we have been out personally. A lot of these efforts in California were much smaller, like 20 people, but they represented a lot of different groups. I think there has to be a way of waiving this.

J.R. Penny: Maybe we wouldn't give you a special permit, but would give you some other kind of authorization. If a permit is required, we would charge $10.

George Strauch: Still, isn't the permit for off-road vehicle events? A clean-up isn't an off-road vehicle event.

Alfred Kramm: We were talking about this applying for all events.

George Strauch: We haven't even got into that, Al.

Howard Harris: I think we will assume that the administration will not charge for cleaning up.

Page 28 - Item 8 - Enforcement

Jack Edwards: If you are going to have your own law enforcement group what is the object of item 8? Provision for law enforcement at events.

Craig Tocher: We need to know what your plans are for enforcement at an event. Has your organization made some contact with the County Sheriff to do it, for example? We need to know who is going to do it, so that we could make arrangements, if necessary.

Page 29 - Rental Charge

H.F. McMurphy: What is this rental charge? How about this? Is that the $10 you were talking about?

Craig Tocher: The rental charge is different and represents a charge for use of the land. The $10 is a minimum filing fee for a special land use permit; a processing charge. Depending on the appraised value of that land for a certain type of event a rental charge could be made to the people using that land.

Page 30 - Item 10 - Application Fees

H.F. McMurphy: The Statement says "Application fee will be used for administrative costs". Fee will be what? $10? We should have it on there.

Robert Springer: It says the fee could be returned if the application is rejected. Your $10 filing fee cannot be returned.

H.F. McMurphy: You mean if we file a $10 fee for a permit and it is turned down, it will not be returned?

Robert Springer: That's right. That's the way we handle it. It's an administrative cost.

H.F. McMurphy: There is going to be a lot not getting applications.

Robert Springer: A telephone call would solve this problem.

J.R. Penny: This is a requirement of the regulations which provide that the Government be paid for the cost of administering applications.

Jack Edwards: Will this fee stay in the district?

J.R. Penny: It goes to the general treasury. Again, I shouldn't think that groups would be applying unless they knew certain things and you know the use of telephone calls and such would help on this.

Page 30 - Item 2 - Time Lead for Application

H.F. McMurphy: Are we going to change the 6 months lead time request to 4 months? Sometimes this can work out, but some times it can't. I know in our group for instance it wouldn't work out. Four months, yes.

J.R. Penny: This has to be on the basis of what the situation is.

H.F. McMurphy: How about just scratching the 6 off and just say months. Just leave months on there. Six months seems like an awful long time. In some events it is not. If you are going to put 1,000 motorcycles or 1,000 jeeps over a certain area and down thru the valley - thru the desert or up in our country, the ground has to be checked over. The route has to be checked. I realize 6 months really wouldn't be too far ahead, but by this same token, if you are going to put 100 guys thru there, it is a different situation.

J.R. Penny: What you are saying is that we have many events that require 6 months. Other don't. We will just have to work that out.

Page 30 - Item 3 - Event Types

Beula Edmiston: What is a hare and hound event?

Tom Bates: A hare and hound is an event over unimproved ground. It is generally not a multiple lap event. You go over the same ground one time.

Jack Edwards: Do they all start abreast?

Tom Bates: No. Not usually.

Howard Harris: That completes the discussion on Special Use Permit Procedures. Don Halsey, will you discuss the remainder of the draft procedures, pages 32 - 50, on Enforcement Procedures?

Page 34 - Methods of Enforcement

Don Halsey: We inadvertently left out a procedure statement in preparing this page. There are 7 rather than 6 basic methods available. To correct this, refer to your draft. Item 4 should be "Temporary Management Closures". The original Item 4 shown becomes Item 5; Item 5 becomes Item 6; Item 6 becomes Item 7.

Page 35 - Paragraph 3

Don Halsey: Method No. 4 relates to temporary management closures. It could prove to be the most effective over-all in obtaining compliance. It requires management action and temporarily closes an area because of unusual conditions. Public notice will usually be given. Examples where such closures as this might be made are extreme fire conditions, flood hazards, etc.

Alfred Kramm: The third line under method 4, is that can or cannot - it will be used whenever public cooperation can or cannot be developed?

Don Halsey: Public cooperation can be developed, but it requires management action to temporary close an area because of unusual conditions.

Page 36 - Item 6 - Posting

Don Halsey: We have a problem here. Posting closure areas with "no trespass" signs is a tremendous burden. However, it is an action we would have to take under State law. It is a legal requirement, but it is a process we recognize as very costly.

Ken Clarke: Mr. Chairman, in the event that the BLM gets legislation this group has endorsed then I suspect that we will have Secretary regulations which will permit us to move against individuals without the need for following this State law. Right now, we have no other way to go.

Pages 41 - 50

Howard Harris: These pages are examples of closing orders that were issued up at Panoche and that type of thing. Now, I assume that we will be sent a copy of this revised edition by the staff prior to the next meeting, and at that time, of course, we hope we can wind this thing up. When do you want the next meeting?

J.R. Penny: I talked this over with my people and they will have it out to you by the middle of January. But we don't think we could meet before the week of February 2nd, due to programming and such, and we would like to propose that as a date. Some day within that week.

Howard Harris: How about the 3rd ? The 3rd is on a Tuesday according to my calendar. O.K. the meeting will be on February 3rd.

George Strauch: Could I have one minute before you close? Jim Ruch gave me a small quantity of these Desert brochures they produced and I distributed them at our semi-annual meeting at Bakersfield in November. He told me that we could buy them. If sufficient quantity is bought, they can be bought and purchased for 16½ cents each. Our organization was very impressed with this book and authorized me to commit ourselves to buy 3,000.

Howard Harris: That is a very fine example.

H.F. McMurphy: Are we going to be sent a questionnaire between now and then we have to work on?

Howard Harris: Not that I know of. This ought to wind it up. Look thoroughly at this Statement that is going to be sent out so that at our next meeting we can either adopt it as final and go home or make further suggestions. The meeting is adjourned.

ENCLOSURE No. 1

OFF-ROAD VEHICLE ADVISORY COUNCIL
SUB-COMMITTEE MEETING

Finance and Legislation

Chairman:	Ron Sloan
Co-Chairman:	E. Lamar Johnston
Members:	Al Schiavon George Strauch Ray Talbot Howard Harris Craig Tocher (BLM representative) E. Kendall Clarke (Legal Council for Federal Government)

Committee met in Fresno, California, September 15, 1969. Items discussed:

1. Registration

   A. After discussion it was generally agreed that a registration program should be instituted for all powered off-road vehicles.

   Registration would provide the vehicle for communication, education and enforcement of off-road vehicle users.

   B. Registration should not be revenue producing. Ken Clarke will present information concerning the possibilities of registering off-road vehicles at the Dec. 3rd meeting of the entire ORVAC.

2. Funding of Program

   A. Users Fees

      (1) The sub-committee was generally against establishing user fees for off-road vehicles - that if user fees were to be established that they should apply to all users of the public lands.

      (2) Congressional Funding

      The sub-committee was generally in favor of Congressional funding.

         (a) Legislation should be instituted to provide Federal funds.

(b) Budget estimates should be clearly defined and a time table established for expenditures.

3. Rules and Regulations

   A. Committee members will review individually and report at the December 3rd meeting on the Department of Interior's recreation rules and regulations as they pertain to public lands.

4. Legislation

   A. Sub-committee generally endorsed a proposal that Legislation be enacted to provide expeditious enforcement of recreation rules and regulations.

      (1) The BLM should develop their enforcement procedures similar to the U.S. Forest Service.

ENCLOSURE No. 2

OFF-ROAD VEHICLE ADVISORY COUNCIL
SUB-COMMITTEE MEETING

Education, Information, Cooperation, Coordination

Statement of Objectives:

A. Long Range National Goals need to be determined. It is possible that this may be achieved, at least in part, as a result of the efforts of the Public Land Law Review Commission.

B. There needs to be a basic understanding of ecological and environmental principles.

C. There needs to be a better understanding and appreciation of the needs and requirements of those segments of society who use or depend upon the public land for its resource values.

D. Those who use the land need to understand the responsibility they have to themselves, to others and to the land itself.

E. The land supports the needs of our society. Our immediate needs and consumptive wants must be subordinate to the land itself if its quality is to be maintained for the future.

"Use it, but don't abuse it, or you'll lose it."

Recommendations:

It is the recommendation of the ORVAC sub-committee on Education, Information, Cooperation and Coordination that:

1. Public land administrative agencies, including the Bureau of Land Management, establish a program to create, provide and distribute free educational material for use by the mass communications media. Such material should include mattes, photographs, press releases, in-depth articles, editorial aids, pre-recorded radio tapes, and film clips for use on T.V. Furthermore, establish a similar program for the creation and provision of appropriate educational materials for direct distribution to citizen groups and the general public.

2. Public land administrative agencies, including the Bureau of Land Management, create and distribute free audiovisual material for use in various levels of the school system. Specific programs should be tailored for the primary, intermediate and secondary levels. These programs should

include, but not necessarily be limited to, posters, printed handouts, film strips and motion pictures to be used in the school curriculum as well as the school assembly program.

3. Public land administrative agencies, including the Bureau of Land Management, provide and encourage public speakers to present planned educational programs, and that these speakers present specific programs tailored to meet the special interests of youth groups, land user groups and general adult audiences.

4. Public land administrative agencies utilize every possible means to convey the message: ENJOY, BUT DON'T DESTROY ... USE IT BUT DON'T ABUSE IT - OR YOU WILL LOSE IT.

5. A feasibility study should be conducted regarding issuance of an annual free recreational permit with the purpose of such a permit to be for educational purposes, similar to the Forest Service campfire permit.

6. Whatever rules and regulations are enacted be prominently displayed, publicized and otherwise brought to the public's attention by various means. Such methods of dissemination might include signs posted in strategic places, and pamphlets in "take one" boxes. The information should not be limited to a simple enumeration of the rules, but should include an explanation of the regulation's necessity and what it hopes to accomplish.

7. When national environmental goals are established, commerce and industry be apprized of such goals and active cooperation be solicited with regard to their product advertising and their communications with the public.

8. A study be conducted to determine the feasibility of establishing qualified auxiliary personnel composed of volunteers to perform services and assistance to regular land agency personnel.

9. An inventory of all public lands, based on uniform nationwide criteria, be taken. Such an inventory would form the basis for use, preservation and controlled consumption.

10. Closer liaison be initiated between the land management agency and the recreational user of the public lands by the establishment of local and regional citizen advisory councils to represent the various recreational pursuits. Such councils, selected by the management agency, should include representation not only for other land use but also for long range preservation, conservation and consumptive use concepts.

11. Plans relative to land use and development be offered for general public review and comment. A re-evaluation of such proposals should be made, in consideration of public opinion, before finalization and adoption.

12. For the purpose of enlisting cooperation, promoting coordination, and providing information and education, a variety of programs be developed with appeal to various age levels and segments of our society, wherein individuals and groups will find stimulating and rewarding experiences in meaningful and practical projects involving land use, rehabilitation, good outdoor manners and specialized endeavors.

13. Land laws and policies be reviewed to eliminate conflicts of interpretation, and updated to serve modern day needs and conditions. More liaison between political jurisdictions should be encouraged for the purpose of promoting understanding, harmony, and the elimination of duplicate efforts and parallel programs.

14. Authority and funding be provided so that the above recommendations can be carried out.

Alfred Kramm, Chairman
Beula Edmiston
Tom Bates
Roger Mitchell, Bill Holden
Jim Ruch

November 10, 1969

ENCLOSURE No. 3

OFF-ROAD VEHICLE ADVISORY COUNCIL
SUB-COMMITTEE MEETING

Law Enforcement and Management

The sub-committee on Law Enforcement and Management met in Modesto, November 15, 1969, at 0900 in the office of Sheriff Dan Kelsay. Members of the sub-committee: H.F. McMurphy, Chairman; Jack L. Edwards, Dan Kelsay, Lawrence Cloyd, and Donald G. Halsey. All members were present.

Chairman McMurphy opened the meeting by having Don Halsey, Bureau of Land Management, outline the law enforcement activities of the San Bernardino National Forest and the Joshua Tree National Monument. Both have personnel with law enforcement responsibilities, but have different methods of administering their protection system.

After considerable discussion, the sub-committee concluded the Bureau of Land Management:

(a) Does not have a law enforcement system in their organization.

(b) Present laws and regulations are, in many instances, inadequate and unenforceable.

(c) Present personnel are not trained in law enforcement procedures.

(d) Not enough highly-trained personnel to adequately enforce law, rules and regulations.

The sub-committee recommends the Bureau of Land Management:

1. Develop reasonable, understandable and enforceable laws, rules and regulations, both generally and broadly; and specifically as needed.

2. Establish a protection system, staffed with highly qualified and selected personnel as a law enforcement unit in each Bureau of Land Management district; that such personnel so selected be:

    (a) Highly trained in law enforcement procedures. Receive such peace officer training initially before being assigned to law enforcement duty and receive bi-annually refresher courses at schools so recognized to give such law enforcement training.

(b) Be distinctly uniformed.

(c) Be designated as peace officers authorized to enforce both local and Federal laws.

(d) Be authorized to carry sidearms under certain conditions and strict control as determined by Bureau of Land Management policy.

(e) Establish criteria based upon demand and use for determining the number of law enforcement personnel needed in a district to provide acceptable compliance of laws, rules and regulations.

(f) Develop specifications to fit Bureau of Land Management needs for selection of law enforcement personnel.

(g) Develop a law enforcement training program within their organization for training other than law enforcement Bureau of Land Management personnel to assist the full-time law enforcement officer to assure compliance with laws. Explore the possibilities of a volunteer deputy unit.

(h) Make the law enforcement unit highly mobile and equipped with a communications system tied in with other Federal, State and local enforcement organizations.

Committee members discussed the "draft of off-road vehicle use procedures" transmitted by Bureau of Land Management on October 10, 1969, to all members of ORVAC. The following recommendations are submitted by the sub-committee for your consideration. Sub-committee members will be prepared to discuss further the procedures at the December 3, 1969, meeting of ORVAC.

1. Page 9, item 5. ORV use will not be encouraged by development of access and other methods until such time as supervision can be provided. We suggest access for other uses could be developed and allowed and even encouraged in some instances.

2. Page 21, paragraphs 2 and 3, Inventory. It is important to inventory concentrated use areas, but it is of equal importance to inventory those areas in need of protection in order to prevent damage to the area. Existing concentrated use areas already have experienced deterioration of other resource values and continued use may not have as serious effect to other resources as would occur in an area not now experiencing concentrated use. Such use might develop while the inventory was being done under the first priority.

3. Page 25, Special Use Permit Procedure. Comments and recommendations will be submitted on this by sub-committee member Jack Edwards.

4. Bureau of Land Management in their preliminary draft of procedures and principles uses many terms, the mean of which is subject to broad interpretation. Examples are "wildlife preserves", "hunting periods", "waterbarred skid roads". A glossary would be helpful.

5. Page 28, Special use forms for Organized Vehicular Sports Events, Races and Rallies, Items 5 and 6. Suggest these two could be combined and eliminated (a) Route or routes of travel to event area.

H.F. McMurphy, Chairman
Dan Kelsay, Jack Edwards, Larry Cloyd

November 18, 1969

PERMITS

It was the feeling that the definitions as stated on page 25 of the "rough draft" are not clearly defined and make the following suggestions:

That the words, Ride, Rally, and Campout be changed to read: Races, Rallies, and Special Events, to be defined as:

1. Race -	Competitive event where a winner is determined for prizes, trophies, or awards.
2. Rally -	Competitive or non-competitive event held for organized groups, or public participation.
3. Special Event -	Any event where the public is invited to participate or more than one organized group or club is invited to attend.

The Committee suggests that only in these three categories should a permit be required, with one exception. A permit should be required for anyone entering an area not suited for his particular usage. The Committee also suggests that for all other user groups of Bureau of Land Management land that a telephoned "Message of Intent" be given the District Office within the area that is to be visited. Upon receipt of a "Message of Intent" the District Office should ask the following questions and record them on appropriate forms:

1. What area do you intend to use?
2. How long do you intend to stay?
3. How many vehicles will you use?
4. What type of vehicle will you use?
5. How many people will there be including children?
6. Name and address of person in charge and if affiliated with an organized group.

This "Message of Intent" will furnish important data to the Bureau of Land Management and also give the district office a chance to inform the intended visitor as to closures, hazards, or any other pertinent information to the area the visitor wishes to visit. The

Committee also feels that six months prior notice on permit application is too long.

NOTE TO COMMITTEE MEMBERS:

It is my personal opinion we forgot to add two other important facts in the report.

1. In event of a disaster or search and rescue mission, regardless of the number of people involved, no permit should be required.

2. A person making an application for permit six months in advance should also have an alternate date for the event. Weather conditions, fire hazards, and other factors cannot be determined this far in advance.

If the Bureau of Land Management insists on a permit basis system, we should insist that individual permits be issued on a yearly basis for all Bureau of Land Management land not under closure and that they be made readily and easily available. Possibly be mailed to individual upon application.

Jack L. Edwards

ENCLOSURE No. 4

RESOLUTION FOR ARREST AND PUNISHMENT OF VIOLATIONS OF THE LAWS AND REGULATIONS RELATING TO THE PUBLIC LANDS

Be it resolved that the Off-Road Vehicle Advisory Council to the State Director of the Bureau of Land Management, State of California, urges the Director of the Bureau of Land Management and the Secretary of the Department of the Interior to seek immediate legislation such as the following for the enforcement of regulations made by the Secretary.

Be it enacted in the Senate and House of Representatives of the United States of America in Congress assembled, That all violations of the public land laws and regulations of the Secretary of the Interior relating to the public lands administered by the Secretary through the Bureau of Land Management shall be punishable by a fine of not more than $500 or imprisonment for not more than 6 months, or both. Any person charged with the violation of such laws and regulations may be tried and sentenced by any United States Magistrate designated for that purpose by the court by which he was appointed, in the same manner and subject to the same conditions as provided for in 18 U.S.C. § 3401.

The Secretary of the Interior may authorize such persons who are employed in the Bureau of Land Management as he may designate to make arrests for the violation of the laws and regulations referred to in Paragraph 1 of this Act. Upon sworn information by a competent person any United States Magistrate in the proper jurisdiction shall issue process for the arrest of any person charged with the violation of said laws and regulations, but nothing herein shall be construed as preventing the arrest by any officer of the United States, without process, of any person taken in the act of violating said laws and regulations.

s/Howard Harris
Howard Harris
Chairman, Off-Road Vehicle
Advisory Council

December 3, 1969
Date

SUMMARY OF ORVAC MEMBER OPINIONS REGARDING VARIOUS BROAD STATEMENTS RELATED TO OFF-ROAD VEHICLES AND THEIR USE ON PUBLIC LANDS

Members of the Off-Road Vehicle Advisory Council presented individual statements reflecting the position of their organization on off-road vehicle use of the public land. Key statements were then selected from these and a questionnaire was sent to each member to obtain his views on the selected Statement (Shown below in CAPS). The returns indicated areas of general Council agreement, or of disagreement. In some instances, no significant consensus was reached either way. These views were used in preparing the Management Guidelines for ORV use.

The Statements are shown below. In some instances the members qualified their questions by inserting comments such as those shown in lower case letters below.

The majority of the Council agreed with general concepts of the following statements:

ORMV TRAVEL IS IMPORTANT, LEGITIMATE USE OF PUBLIC LAND.
More in the following years. Limit where there will be destruction.

OPEN MORE CLOSED AREAS TO LESSEN IMPACT.
Under planned program.

RESTRICTIONS DEVELOPED UPON DEMONSTRATED NEED.
Restrictions should be developed upon predicted need.

NO ORMV TRAVEL WHICH DESTROYS NON-REPLACEABLE RESOURCE.
Not necessarily. What constitutes non-replaceable resources? Who decides? Can be restricted to designated areas.

LIMIT ACTIVITIES WHICH CAUSE NATURAL RESOURCE CHANGE.
Consider value of benefits v.s. damage. Possibly all activities curtailed in some areas.

SEASONAL USE TO PROTECT RESOURCES.
Only after study. When necessary.

USE PRIVATE PROPERTY, WHEN ALLOWED.
In addition to BLM.

TRAVEL IN PROTECTED WATERSHED AREAS BY DEVELOPED ROADS ONLY.
Road should be changed to thoroughfare. Include trails. Travel only if there is reason.

MORE BLM MANAGEMENT, LESS DISPOSAL.
(No qualifications)

MINIMIZE UNNECESSARY DEVELOPMENT, COMMERCIALISM, AND ARTIFICIAL TREATMENT OF LANDSCAPE.
Absolutely.

ZONE FOR NON-COMPATIBLE USE.
Zone to eliminate non-compatible uses.

COUNCIL TO HELP RESOLVE CONFLICTS
Certain kinds and in some instances but not as a governing board.

KEEP ORMV CAMPING AREAS NATURAL AND SIMPLE.
In remote areas.

PROVIDE ADEQUATE CAMPING AND PARKING FACILITIES.
Minimum, not elaborate or requiring daily maintenance away from highways.

SPECIAL SCRUTINY OF RULES AND REGULATIONS AS RELATED TO BLM IN CALIFORNIA.
(No qualifications)

ENACT REASONABLE AND WORKABLE REGULATIONS AND LAWS.
(No qualifications)

ADEQUATE ENFORCEMENT BY BLM.
(No qualifications)

USER PARTICIPATION IN PUBLIC LAND REHABILITATION.
O.K. under BLM and according to BLM standards. Litter.

ROTATION AND CLOSURES FOR REHABILITATION.
(No qualifications)

PROTECT BY CHOICE OF LAND AND AREA ROTATION.
Classification will handle problem. Protect under enforced rules.

ORMV CAMPERS HAUL AWAY OWN GARBAGE.
If not in areas serviced, a must.

MUFFLERS REQUIRED ON ALL VEHICLES.
Depends on area.

NOISE CONTROLLED.
(No qualifications)

SEASONAL CLOSURE OF HIGH FIRE HAZARD AREAS.
By all means. Closures must be justified.

DEVICES SUCH AS SPARK ARRESTORS MANDATORY.
If available.

SEASONAL CLOSURE BECAUSE OF RAIN.
Depends on traffic density. Each area must be given individual consideration.

UNCONTROLLED ORMV TRAVEL CAUSES EROSION AND OTHER DAMAGE.
Not just ORMV. Depends on area.

TEMPORARY SEASONAL CLOSURES TO MINIMIZE USER CONFLICTS AND RESOURCE DAMAGE.
(No qualifications)

CERTAIN AREAS PERMANENTLY CLOSED.
Only if no other alternative. Must be justified.

ORMV USE IN IMPROVED CAMPING AREAS CONTROLLED.
Improved or designated.

VOLUNTEER CB RADIO ENTHUSIASTS TO HELP PROMOTE SAFETY.
O.K. for organized competitive events but no untrained, unscreened volunteers. No inside track to any group.

IMPLEMENT AND ENFORCE SPEED CONTROLS.
In camp areas only. Controls may vary, depends on classification.

KEEP ACCESS ROADS TO MINIMUM, NARROW WIDTHS, AVOID CUTS, ENTRANCE WAYS IDENTIFIED.
Depends on area characteristics and need.

MARK ORMV USE AREAS PROPERLY BUT NOT CLUTTERED WITH SIGNS.
(No qualifications)

STUDY DESIRABILITY AND FEASIBILITY OF USER FEES.
(No qualifications)

PROVIDE BLM ADEQUATE FUNDS AND MANPOWER.
For modest program.

RADIO AND TELEVISION PUSHED.
(No qualifications)

CONSERVATION EDUCATION INTEGRATED MORE CLOSELY IN PUBLIC SCHOOL CURRICULUM.
(No qualifications)

PUSH JOHNNY HORIZON PROGRAM.
(No qualifications)

LOCAL ADVISORY GROUPS TO HELP OVERCOME COMMUNICATIONS GAP.
(No qualifications)

CODE OF OUTDOOR ETHICS COMMUNICATED TO PEOPLE.
(No qualifications)

MAKE KNOWN TO USERS COST IN LITTERBUGGING, VANDALISM, DAMAGE.
(No qualifications)

MAKE KNOWN TO PUBLIC GOOD MANAGEMENT PRACTICES.
(No qualifications)

AUXILIARY UNITS TO EDUCATE AT SPORTS SHOWS, COUNTY FAIRS, ETC.
(No qualifications)

FULL USE OF NEWS MEDIA, PAMPHLETS, ETC.
(No qualifications)

EDUCATIONAL PROGRAMS BE INSTITUTED TO INFORM "OFF-ROAD" USERS OF THE REGULATIONS AND LAWS.
(No qualifications)

CONSERVATION CHAIRMAN FOR CLUBS, ETC.
(No qualifications)

Majority of Council members disagreed with the following statements, as qualified.

NATURAL AREAS KEPT SMALL.
Natural areas to be whatever size is necessary. Until classified premature to state size.

PROTECT WHAT WE MUST, ALTER IF NECESSARY.
Under a planned program. Avoid altering protected areas. Classification would take care of this.

ORMV TRAVEL ONLY AFTER CLASSIFICATION.
All areas should be inventoried before classification but it may be a long time before classification takes place.

INTENSIVE ORMV USE CONFINED TO SMALL AREAS.
How small. Not always. Each area considered on own merit. Some large areas may be required.

POOL ORMVs TO LESSEN IMPACT ON LAND.
O.K. where groups are being transported to areas. Would increase impact on land. Many ORMVs non-compatible.

PERMIT SYSTEM IN ORMV USE.
Not before studying administrative and financing problem. Only rallies and races. We don't need another paper mill. Might explore.

PARTICIPANTS PAY AT EACH MEET.
Could be done in some instances. Don't know.

MODEST FEES TO GOOD AREAS.
(No qualifications)

IMPORT TAX ON FOREIGN ORMV.
Definitely not. Discriminatory and unjustifiable.

GASOLINE TAX.
Doubt if possible.

Council members indicated no conclusive consensus on the following:

RESTRICTIONS KEPT AT MINIMUM.
But in best interests and with tightly enforced rules and regulations. Administered with qualified persons and use groups counciling.

CONTINUE ORMV TRAVEL IN UNCLASSIFIED AREAS.
Study first. All areas should be classified. Continue travel in unclassified areas with general preliminary rules.

DO NOT ENCOURAGE USE UNTIL MANAGEMENT.
Not practical to wait for management plan. Do not encourage intensive use.

TOTAL EVALUATION BEFORE USE DESIGNATION.
Not feasible. Would take too long and cost too much.

CONCENTRATED USE UNDESIRABLE.
Not always. May be necessary on limited scale. May be desirable in some instances.

KEEP LAND IN UNDESTROYED, NATURAL STATE.
Where feasible. Use of word undestroyed would mean no use. Literally impossible to keep all lands in natural state.

TAKE BIOLOGICAL APPROACH TO DETERMINE ORMV USE AREAS.
Among others as part of entire management system input. Cannot determine by single approach.

CLASSIFY USE IN THREE CLASSES- PROTECTED (ALL VEHICLES PROHIBITED), RESTRICTED (LIMITED USE) AND CONTROLLED (SOME RESTRICTIONS, i.e. FOR PUBLIC SAFETY).
Problem not this simple. Classification perhaps shouldn't be this restrictive.

WATERSHED AREAS CLASSIFIED FOR PROTECTION LIKE USFS.
This is only one approach and requires further study.

COST OF MANAGEMENT NOT TO EXCEED VALUE OF BENEFITS DERIVED.
Difficult to determine value of benefits. Does not refer to cost of collecting a user fee.

SUITABLE LOW QUALITY AREAS DEVELOPED.
What may be low quality for vehicle use might be high quality for other uses.

NO PRIVATE MANAGEMENT OF PUBLIC LANDS.
It may be necessary to have concessionaires at various sites where public funds are not available. Private management could be used to control uses under proper regulations.

SEASONAL USE TO MINIMIZE CONFLICT.
To protect resources.

RESTRICTIONS HELD TO MINIMUM.
Enough to do job. Restrictions have to be based on need and objectives.

ASSIST BLM IN ENFORCEMENT WORK SHORT OF ARRESTS.
May not be wise. By whom. Educational program - all citizens own the P.D.

CAREFULLY SCREENED RESERVE CORPS, SELECTED BY BLM TO HANDLE SAFETY INSPECTIONS, ETC.
BLM administered by own people with proper funding.

NO OILED OR PAVED TRAILS, BUT RATHER PROPER USE TO MINIMIZE DUST.
May have to in some intensive use areas. Possibly necessary to oil close to camp areas.

WATER AND SANITATION FACILITIES FURNISHED.
Costly and impractical in certain cases. Furnished at designated areas, i.e. camping areas, where use and demand justify.

USER HELPS DEVELOP ORMV TRAIL SYSTEMS TO MINIMIZE DANGER.
Only under BLM to their standards. User group who will use trail should establish trail with BLM help.

ACCESS TO OFF-ROAD AREAS PLANNED IN HIGHWAY FENCING.
If public land - not if private.

ASSURE PERMANENT ACCESS TO ALL AMERICANS TO THEIR OUTDOOR HERITAGE.
But not through private without due consideration.

PRIVATE PROPERTY OWNER SHOULD POST BOUNDARIES.
No unnecessary burden on private property owner.

USE FEES RETURNED TO AREA FOR MANAGEMENT.
(No qualifications)

MONEY COLLECTED FOR USE BY BLM.
Debatable. Needs more explanation.

GOLDEN EAGLE TYPE PROGRAM.
O.K. if BLM on receiving end.

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